

Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Robert Dedmon,)
Plaintiff,)
VS.) Civ. A. No. 4:21-cv-03371
Shell Exploration &) Jury Demand
Production Company and)
Shell Trading Services)
Company,)
Defendants.)

ORAL AND VIDEOTAPED DEPOSITION OF ROBERT DEDMON
APRIL 2, 2024

ORAL AND VIDEOTAPED DEPOSITION OF ROBERT DEDMON,
produced as a witness at the instance of the Defendant
and duly sworn, was taken in the above styled and
numbered cause on Tuesday, April 2, 2024, from 9:35 a.m.
to 6:33 p.m., before ROBIN GROSS, CSR in and for the
State of Texas, reported by shorthand machine, at the
Offices of AH Law, PLLC, 5718 Westheimer, Suite 1000,
Houston, Texas, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record
herein.

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1 Probably six months in, they changed names three or four
 2 times.

3 Q. Okay. And so at some point --

4 A. They were GDF --

5 Q. -- they were GDF Suez?

6 A. -- Suez, correct.

7 Q. And so if we see GDF Suez on your resume, that's
 8 referring to --

9 A. That's Engie --

10 Q. -- all of them?

11 A. Yes, correct.

12 THE REPORTER: Please let her finish her
 13 complete question before you answer.

14 THE WITNESS: Okay.

15 THE REPORTER: Thank you.

16 THE WITNESS: Sorry about that.

17 THE REPORTER: Would you repeat your
 18 question?

19 MS. WILLIAMS: Yes.

20 Q. (BY MS. WILLIAMS) So if we see GDF Suez on your
 21 resume, that's referring to Tractebel, Engie, all of
 22 them --

23 A. Correct.

24 Q. -- collectively?

25 Okay. In your work at -- let's start with

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1 several different companies to do that with my -- my bid
 2 side, which is what I wanted to pay for it; and I would
 3 see what their offer side was. And I would ask them for
 4 their offer for a particular strip of power.

5 Q. And Priscilla Partida was the contact for --

6 A. Or Michael --

7 Q. -- that aspect --

8 A. -- depending on who was available that day.

9 Q. Okay.

10 A. We all -- we'd chat on Instant Messenger a lot,
 11 too, so whoever was available in that moment.

12 Q. Okay. So it was either of them for that --

13 A. Correct.

14 Q. -- type of work?

15 A. Correct.

16 Q. Okay. Did you interact with Priscilla for
 17 anything else other than what you've just described?

18 A. If we had any kind of discrepancies on trades,
 19 maybe something like that, but nothing outside of the
 20 actual trade.

21 Q. Okay. What about with Michael, did you interact
 22 with Michael for anything other than what you've
 23 described?

24 A. No.

25 Q. And I don't know if I asked you this. Why did

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Affordable Power & Gas, did you interact with -- with
 Shell in any capacity?

A. At Affordable, yes, I was on the -- what we
 consider the buy side of retail power. So I was buying
 my wholesale power from Shell and other companies who
 had generation assets to sell.

Q. Was there a particular group that you interacted
 with at Shell in -- in your role at Affordable Power &
 Gas?

A. Yes, the sales mid-marketing group, the group I
 joined once I joined Shell.

Q. Is that the group that you currently work in
 today as well?

A. Correct.

Q. Okay. Do you recall -- during your time at
 Affordable Power & Gas when you were interacting with
 Shell, do you recall the names of the individuals that
 you interacted with at Shell?

A. Two in particular, Priscilla Partida and Michael
 Tickle.

Q. Okay. What were your interactions with Priscilla
 Partida in connection with the work that you did for
 Affordable Power & Gas?

A. So if I needed to actually buy power for my
 customers or hedge my position, I would reach out to

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1 you leave Tractebel, Engie?

2 A. Just better opportunity. My career was still
 3 growing. I was able to go into more of a leadership
 4 role, have my own team, and then actually fully manage a
 5 position versus sharing a position. I was actually able
 6 to manage my own book of business.

7 Q. And that's what you were able to do at Affordable
 8 Power & Gas?

9 A. Correct.

10 Q. How did you find out about the position at
 11 Shell -- well, what was the position that you applied
 12 for at Shell in 2014?

13 A. It was a job grade 5 power sales position.

14 Q. And what was your understanding of the
 15 responsibilities of that position?

16 A. To interact with energy retailers, which was what
 17 I was currently at Affordable, for all their energy
 18 needs. It could be power, natural gas, any type of
 19 ancillary service that, you know, was a part of the
 20 power structure. So anything power needs, I was able to
 21 transact with the customers.

22 Q. And the customers, by "customers" you mean --

23 A. Energy --

24 Q. -- companies like Affordable Power & Gas?

25 A. Sorry. Yes, correct. Energy retailers.

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Q. And you referred to it as a JG 5 power sales position. Was that the actual title of the job?

A. I'm not familiar with the actual title, but I am familiar with the job grade and that, you know, the form of the job where the -- what the industry states the job is, power sales. It's changed names in my ten years probably three or four times.

Q. What are some of the names that you've had -- or that have changed over the ten years --

A. It's been --

Q. -- for this position?

A. -- a power sales job, it's been mid-marketing, and it's been origination. All of the exact same role, exact same tasks, just name change through a reorganization or reshape. New leadership comes in, they just want to change the name of certain roles.

Q. In your experience in the industry have you encountered that before where that type of position at different companies have different titles, that they are effectively doing the same work?

A. Yes.

Q. Okay. So that wasn't -- that's not something peculiar to Shell in your experience?

A. It's pretty standard across the industry, leadership changes. They come in and they have to make

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long-term needs for power. And I met Carl Williams, who was an employee at Shell at the time. We exchanged information, then he reached out to me about a potential opening at Shell.

Q. Did you know Carl before this lunch meeting?

A. No.

Q. Do you recall approximately when the lunch meeting was in relation to the time that he actually reached out to you about the position?

A. No, I don't.

Q. Was it months or years?

A. Months.

Q. So if you applied for the position in the early part of 2014, do you think that this meeting happened sometime in 2013?

A. It -- and I'm not for certain, probably late 2013.

Q. Okay. What specifically did Carl Williams tell you when he reached out to you about the position?

A. Over lunch, I try to discuss -- I try to be -- I try to develop a relationship. I don't try to discuss work. I think we do enough work day to day to not always talk about work. So I just opened up about, you know, where I was from, what I want to do for a living, family, things of that nature.

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change. That's why they're brought in, and they change names and positions. That's probably one of the first things they do.

Q. In your time at Shell, your best recollection, how many times has the position title changed?

A. At least three.

Q. And what titles have they been?

A. I was originally power sales, then it became mid-marketing, and now it's currently originator.

Q. Has it ever gone by the title "sales rep"?

A. That's kind of in quotations. Power sales, sales rep, those are pretty much the same name that we use.

Q. Okay. What about "trader," has that ever been used for this position?

A. No.

Q. Okay. That's a separate position?

A. Not a trader, correct.

Q. Okay.

A. We could actually trade positions, but we're not a trader.

Q. Okay. How did you learn about the power sales position that you applied for in 2014?

A. I was at a lunch -- Shell takes customers to lunch, and I was the customer at Affordable -- just discussing our relationship and some of our, you know,

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And he kind of caught on that being in power sales/origination/mid-marketing was something that I wanted to do. So I'm assuming that he took note of that because when he reached out, he said, "Hey, you know, there's a position open at Shell. I want you to, you know, put your name in the hat for it."

Q. So you expressed during this original lunch meeting sometime around late 2013 that you might be interested in a power sales position at some point in your career?

A. Correct.

Q. And you guys didn't speak specifically about applying to Shell at that time --

A. No.

Q. -- is that right?

A. Correct.

Q. Okay. So some months later he then reached out to you and said there's a power sales position open at Shell?

A. Correct.

Q. Okay. How did he reach out to you when he communicated that there was a power sales position open at Shell?

A. Email.

Q. Okay. After that initial email, what was your

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1 response?

2 A. I believe I thanked him and he gave me the steps
3 on applying for Shell, let me know when that role
4 actually opened and was available for external
5 candidates to apply.

6 Q. Between the meeting that you-all had sometime
7 around late 2013 and the email that you received from
8 him with the open power sales position, had you and Carl
9 Williams had any other communication in that period of
10 time?

11 A. I don't believe so. If we did talk, it was
12 merely, hey, how are you doing, just checking in,
13 nothing work related.

14 Q. Did you speak to him at any time in this process
15 where he's reaching out to you about the power sales
16 position, about what the position was like or ask him
17 any questions in particular about the position?

18 A. Very -- probably very high level. There are some
19 email exchanges between Carl and I, but I knew what I
20 was getting myself into when it came to the role. I had
21 been looking for a role like that clearly for a while.
22 So there was not much I needed to know about the actual
23 role and what the responsibilities were. More so how to
24 apply at Shell versus, you know, what I was actually
25 applying for.

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1 Q. Do you have any recollection at all of what the
2 application process was like on the website when you
3 applied?

4 A. Upload your resume, cover letter, questions about
5 your work history, education. Pretty standard
6 information.

7 Q. Do you recall there being a description of the
8 job on the website?

9 A. Yes, there was a description of the job, correct.

10 Q. What do --

11 A. Tasks, duties, responsibilities, things of that
12 nature.

13 Q. What do you recall about the description that was
14 on the website?

15 A. Just the roles and responsibilities day-to-day
16 transacting with the customers for their power needs.

17 Q. Did the -- did the email that Carl Williams sent
18 to you actually include the job description in that
19 email, or was he just notifying you that it's open, go
20 to the website?

21 MS. GIBSON: Object to form.

22 You can answer.

23 A. I'm not sure if it did or not.

24 Q. (BY MS. WILLIAMS) Okay. Do you recall in the --
25 during your application process, do you recall seeing

1 Q. Okay. When you --

2 A. The process to apply, how to apply.

3 Q. When you say you knew what you were getting into,
4 what did you know you were getting into?

5 A. The actual role, like the responsibilities of the
6 role.

7 Q. And how did you know that?

8 A. I've been in the industry for a very long time
9 and I understand, you know, the task and
10 responsibilities of someone on the sales side. So.

11 Q. Okay. And so you think that you may have asked
12 him questions just about the application process; is
13 that right?

14 A. Yeah, just how to actually apply.

15 Q. Okay. Did he -- do you recall any information he
16 gave you about the application process?

17 A. I believe he sent me the location to where --
18 where I needed to go apply.

19 Q. What do you mean by "location"?

20 A. Where on Shell's website to apply for the job.

21 Q. Okay. And describe -- did you actually go to
22 that location to submit an application?

23 A. I believe I did, yes. I applied for it. I'm
24 not -- I can't go back and go step by step on the
25 website, but I did apply for it. I did.

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1 anything identifying in writing what the job grade was
2 for that position?

3 A. I'm not sure at what point I saw job grade, but I
4 was aware of what the job grade was going into my
5 interview phase.

6 Q. So you said you're not sure at what point you saw
7 the job grade?

8 A. Correct.

9 Q. Okay. So you -- you recall seeing the job grade
10 somewhere, as opposed to someone telling you about the
11 job grade; is that right?

12 A. Correct. Because I wasn't familiar with Shell's
13 pay structure, so seeing JG 5 was something that wasn't
14 familiar to me. So I thought I -- you know, hey, I need
15 to hold on to what this means.

16 Q. Okay. And what is your best recollection as to
17 when in the process you recall seeing JG 5 referenced
18 with respect to this position?

19 A. We exchanged a lot of emails with HR over a
20 period of time. It was at some point before my
21 interview.

22 Q. And you said "we," HR, you and HR?

23 A. Yeah. I believe her name is Lisa Billington,
24 Tyler Ali, there were several HR representatives that
25 just send over standard procedure paperwork. When you

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1 come for your interview, where to park, you know, where
 2 to get your parking validated, things of that nature,
 3 what floor to go to, how to badge in. So that
 4 communication. It'll include all your information about
 5 the job and that you're applying for it, but also
 6 instructions on where to go, things like that.

7 Q. Okay. And I just want to clarify that you said
 8 it was at some point before your interview, and you said
 9 "we were exchanging emails" and I think you said HR; is
 10 that right?

11 A. Correct.

12 Q. And by "HR," you're referring to Lisa Billington
 13 and Tyler Ali; is that right?

14 A. Correct, correct.

15 Q. Anyone else?

16 A. I don't believe so prior to.

17 Q. So Lisa Billington and Tyler Ali with Shell HR
 18 were your contact people in the HR department during the
 19 application process?

20 A. They were my -- correct, Shell contact, correct.
 21 Now, if they were actually HR representatives, I'm not a
 22 hundred percent sure of the actual title, but they were
 23 my contacts.

24 Q. Okay.

25 A. Prior to interviewing.

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1 A. Yes.

2 Q. Okay. Were these phone calls about the things
 3 that you've already described, just the logistics of
 4 getting your application in and preparing for the
 5 interview?

6 A. Correct.

7 Q. Okay. Did you have phone calls with anyone else
 8 leading up to your interview at Shell for that position?

9 A. No -- well, Carl and I, as I stated before,
 10 exchanged emails.

11 Q. Okay. Other than Lisa, Tyler, and Carl, did you
 12 have phone calls with anyone else leading up to your
 13 interview for the position?

14 A. Not that I can remember, no.

15 Q. And in the written communications with Lisa
 16 and/or Tyler, you recall at some point seeing a
 17 reference to JG 5 before you actually went in for the
 18 interview; is that what your testimony is?

19 A. Correct.

20 Q. When you saw the JG 5 reference, did you have
 21 questions about that when you initially saw it?

22 A. Just personal questions about what it actually
 23 meant. I know several -- or all companies have their
 24 different ways of explaining or labeling jobs when it
 25 comes to job grades.

1 Q. You referred to them as HR. So is it your

2 understanding they're HR or not?

3 A. Yes, it's my understanding that they are part of
 4 HR.

5 Q. Other than Lisa Billington and Tyler Ali, and
 6 then obviously we talked about Carl Williams referring
 7 the position, did you communicate with anyone else
 8 leading up to your interview at Shell?

9 A. I don't believe so, no.

10 Q. And at some point in the written communication --
 11 I guess these were email communications, right?

12 A. Correct.

13 Q. Okay.

14 A. Phone calls as well, they would call you --

15 Q. Okay.

16 A. -- or email you.

17 Q. So you had phone calls with Lisa Billington?

18 A. And Tyler, I believe, yes.

19 Q. Okay. I'm going to take it one -- you had phone
 20 calls with Lisa Billington during the application
 21 process in 2014?

22 A. I believe so, yes.

23 Q. And you had phone calls with Tyler Ali in 2014 --

24 A. Yes.

25 Q. -- during the application process?

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1 Q. Did you ask them in writing, "What does JG 5
 2 mean?"

3 A. No, I didn't ask them in writing at that point,
 4 no.

5 Q. Did you ask them in a phone call, "What does JG 5
 6 mean?"

7 A. No.

8 Q. At some point did you inquire as to the meaning
 9 of JG 5?

10 A. Yes, after I was offered the JG 6, I
 11 questioned -- questioned at that point.

12 Q. Okay.

13 A. And that was a correspondence with Lisa.

14 Q. Billington?

15 A. Yes.

16 Q. Okay. So you went through the interview
 17 process -- you saw JG 5 in an email and actually
 18 completed the interview process for the JG 5 position;
 19 is that right?

20 A. Correct.

21 Q. At some point you were not offered the JG 5
 22 position; is that right?

23 A. Correct.

24 Q. And then later you were offered a JG 6 position;
 25 is that correct?

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1 the job, they're still in the process of hiring for that
 2 position. I was never told no, you did not get the job.
 3 So.

4 Q. (BY MS. WILLIAMS) And when you say "never told
 5 no," you mean by -- by whom? Like --

6 A. By Shell.

7 Q. -- anyone at Shell?

8 A. From Shell, correct.

9 Q. Okay. Wasn't there a communication between you
 10 and Carl Williams where he told you that they went with
 11 another candidate? Do you recall that?

12 A. I believe he -- that was communication about they
 13 were thinking about other candidates.

14 Q. Okay. Okay. So let's go back a bit. So you --
 15 you went in, you applied for the job grade 5 position,
 16 you recall seeing JG 5 on some written communication
 17 when you went in for your interviews. Right?

18 A. Yes, that's what I stated, correct.

19 Q. Who -- with whom did you interview for the -- the
 20 initial position?

21 MS. GIBSON: Object to form.

22 You can answer.

23 A. I may miss a person; but it was Chris Riley,
 24 Michael Tickle, Jennifer Hartnett. I may -- I may have
 25 missed someone.

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1 then compensation --

2 A. I believe it was --

3 Q. -- salary and bonus?

4 A. -- current compensation and bonus structure.

5 Q. What was that? What was your then compensation
 6 or salary and bonus structure?

7 A. Compensation was at 100,000 and bonus structure
 8 was based on productivity, but a range of 5 to 20
 9 percent, I believe, of base. I don't recall the actual
 10 percentage, but more of a commercial bonus scale.

11 Q. As opposed to what?

12 A. Just a standard percentage is your 5 percent
 13 annually regardless. It's based on production. So
 14 that's commercial scale.

15 Q. And that's a percentage of?

16 A. Base.

17 Q. Of your base salary?

18 A. Correct.

19 Q. Okay. Did you ask questions about the
 20 compensation structure at Shell during your interview
 21 with Chris, Michael, and Jennifer?

22 A. No.

23 Q. So during that meeting you had no understanding
 24 at all as to what the compensation -- expected
 25 compensation for that position was?

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1 Q. (BY MS. WILLIAMS) Okay. Did you interview in

2 person with these individuals?

3 A. Yes.

4 Q. Did you have separate meetings with them or were
 5 they all together meeting with you?

6 A. We were all in the same conference room.

7 Q. How long did the interview last?

8 A. I don't recollect.

9 Q. Did you ask them any questions about the job
 10 ranking during that interview?

11 A. No.

12 Q. Did you ask anything about the compensation
 13 during that interview?

14 A. No.

15 Q. Did you have any communications leading up to
 16 your interview that provided any information on what the
 17 expected compensation range for that position was?

18 A. I'm not sure in the timeline of pre/post
 19 interview, but there was communication about my current
 20 salary and my current bonus structure. There was
 21 communication via email, yeah.

22 Q. With whom?

23 A. It was either Lisa or Tyler, but the email is
 24 there. So.

25 Q. And what do you recall telling them about your

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1 A. I didn't have a solid number on what the
 2 compensation was for that role, no.

3 Q. Did you have any type of idea of what it was?

4 A. My own personal guess, I would say, was, you
 5 know, educated guess on what this role could offer.

6 Q. And what was that?

7 A. Similar to what I was making or probably -- I
 8 would say about a hundred fifteen, 120,000 maybe.
 9 That's just my own personal understanding. No Shell
 10 documentation that said this is exactly what your salary
 11 would be if you were hired.

12 Q. Okay. And so it was your personal guess that
 13 that role -- the compensation range for that role was
 14 somewhere between a hundred and fifteen and 120,000; is
 15 that right?

16 A. That was just a -- a ballpark guess, correct.

17 Q. Did you have any personal guesses about bonus
 18 structure for that role?

19 A. I had no idea if they were commercial or on
 20 their -- commercial or not commercial. I had no idea if
 21 that actual desk was -- they could be assumed as trading
 22 in some environments; they could not be assumed as
 23 trading. If you're assumed as trading, that means
 24 you're on commercial bonus. So that wasn't clearly --
 25 or I didn't know in that moment if that was clearly

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1 status of your application --

2 A. Just asking about --

3 Q. I'm sorry. Just --

4 A. Okay.

5 Q. -- let me finish.

6 Your communication with Tyler was about the
7 status of your application and interview and whether you
8 had gotten the job; is that right?

9 A. Correct.

10 Q. And Tyler -- you recall Tyler responding to you;
11 is that right?

12 A. Yes.

13 Q. But you don't recall what he said about the
14 status?

15 A. I don't recall exactly what he said, no.

16 Q. Do you recall him communicating to you as if you
17 were still under consideration for the position or if
18 the position was on hold?

19 A. I don't recall the exact correspondence.

20 Q. And then you said you talked to Carl to see, you
21 know, what the status was as well?

22 A. Correct.

23 Q. And what did Carl tell you?

24 A. That they were still reviewing candidates and
25 that they hadn't hired anyone.

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1 Q. And so at some point someone reached out to you
2 and notified you that they're -- that you have to come
3 in and apply for a JG 6 position; is that right?

4 A. That I would need to reapply, re-interview for
5 the role.

6 Q. Who communicated that to you?

7 A. I'm not a hundred percent sure.

8 Q. Would it -- do you recall if it was somebody like
9 Jennifer Hartnett on the business side or somebody like
10 Lisa on the HR side?

11 A. It could have been both.

12 Q. Do you recall how they communicated with you to
13 let you know you needed to reapply?

14 A. Email and phone.

15 Q. Okay. And what do you recall about the email
16 communication?

17 A. Pretty similar to the original email
18 communication, standard procedure about applying.

19 Q. So you got an email communication that said
20 you're invited to apply for this new position?

21 A. I believe so, yes. It was the same, pretty much
22 the same setup as the first interview.

23 Q. Were you surprised by that email?

24 A. I can't recall actual emotion in that moment, no.

25 Q. Were you confused?

1 Q. Anything else that he told you?

2 A. Not --

3 MS. GIBSON: Object -- well, sorry, object
4 to form.

5 Go ahead.

6 A. Not that I can remember, no.

7 Q. (BY MS. WILLIAMS) At some point in the process,
8 since you had not gotten any specific information about
9 the status of your application, did you assume that you
10 had not gotten the job?

11 A. I didn't assume that I -- no, I did not assume
12 that because I had not heard an official word from Shell
13 that I was not employed -- or didn't get hired.

14 Q. So from the time of your interview until the time
15 that you heard about the application process for the
16 JG 6 position, you thought that you were still under
17 consideration for the initial position?

18 A. Yes.

19 Q. And were you still interested in the position
20 through -- through that time?

21 A. Yes.

22 Q. Did it bother you that you didn't hear back about
23 anything or cause you any pause about taking the
24 position since you hadn't heard back?

25 A. That I can remember, no, it didn't.

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1 A. Was not confused, no.

2 Q. So you were expecting to get an email inviting
3 you to apply for another position at Shell?

4 A. After --

5 MS. GIBSON: Object to form.

6 A. After a phone conversation about having to
7 reapply, I was definitely expecting, okay, let's go
8 through the process again.

9 Q. (BY MS. WILLIAMS) Okay. So the phone
10 conversations came before the email communications about
11 the reapplying?

12 A. I believe so, yes.

13 Q. Okay. What do you recall about the phone
14 conversations notifying you that you would have to apply
15 for the JG 6 position?

16 A. That the role was essentially opening back up, to
17 reapply.

18 Q. Did they give you any details about any -- any
19 changes to the role?

20 A. No changes.

21 Q. They told you there were no changes --

22 A. No.

23 Q. -- or they didn't share --

24 A. They didn't share --

25 Q. -- any details about it?

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1 A. They didn't share any changes about details of
 2 the role changing.

3 Q. And you don't recall if this phone conversation
 4 where you were initially told that you would have to
 5 reapply was from Jennifer or Lisa or Tyler or someone
 6 else?

7 A. I don't recall.

8 Q. And when you were notified that you'd have to
 9 reapply, what was your response?

10 A. I was going to reapply.

11 Q. You told them that you would? You confirmed that
 12 you would?

13 A. Correct.

14 Q. Okay. And then what was the next step after the
 15 phone call?

16 A. To reapply. To reapply for the role.

17 Q. Right. You had to receive some invitation to
 18 reapply, right?

19 A. Correct, the same process from the original.

20 Q. Okay. So after the phone call, you received an
 21 email inviting you to apply -- yeah, inviting you to
 22 apply?

23 MS. GIBSON: Object to form.

24 You can answer.

25 A. Yes, I believe so, correct.

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1 Q. (BY MS. WILLIAMS) I'm sorry?

2 A. I can't recall.

3 Q. So it's fair to say that when you applied for the
 4 job -- when you got the email for the JG 6 position, you
 5 were aware from the email communication that it was a
 6 different job grade?

7 A. I believe so.

8 Q. And it didn't raise any questions or concerns for
 9 you at that point?

10 A. I can't recall.

11 Q. I mean, is that something you think you would
 12 remember, being concerned about a change --

13 A. I was concerned about it when I was offered the
 14 role. That's when my eyebrow was raised. So I could
 15 have potentially missed it at that point or -- my
 16 concern was raised when I was offered, when I actually
 17 realized that this is not the job grade that I was
 18 applying for. So I could have missed it.

19 Q. So now you think you may have missed it in the
 20 original email?

21 A. Missed it --

22 MS. GIBSON: Object -- hang on. Object to
 23 form.

24 And I'm just going to say just watch the
 25 tone.

1 Q. (BY MS. WILLIAMS) Do you recall how soon after
 2 the phone call you received the email?

3 A. No.

4 Q. And the email -- in the email regarding the
 5 application, did it provide any details about the
 6 position?

7 A. I believe it did. It was the same setup as the
 8 original email: You're applying for...

9 Q. Do you recall in the email a reference to the job
 10 grade?

11 A. I believe that it was now a job grade 6 email,
 12 correct. A job -- sorry. Job grade 6 role in the
 13 email.

14 Q. So you saw that in the email?

15 A. I believe so.

16 Q. Okay. And earlier you testified that you didn't
 17 ask questions about the job grade until after you were
 18 offered the job grade 6. So when you saw it initially
 19 in the email, did you not ask questions about it?

20 A. I -- I don't recollect asking questions about it
 21 at that point.

22 Q. Do you recall having any questions in your mind
 23 about it at that point?

24 A. I can't recall.

25 MS. GIBSON: Object to form.

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1 Okay. Go ahead.

2 MS. WILLIAMS: My tone is fine.

3 Q. (BY MS. WILLIAMS) I'm asking --

4 MS. WILLIAMS: Can you repeat my question,
 5 please?

6 (Record read as requested.)

7 Q. (BY MS. WILLIAMS) So that's my question.
 8 Earlier you said you saw it, you weren't concerned or
 9 confused by it; and now you're saying you may have
 10 missed it. So I'm asking which one is it?

11 A. Earlier -- can you repeat that, earlier I said
 12 what now?

13 Q. Earlier you said you recall seeing job grade 6 in
 14 the email and you weren't concerned about it or confused
 15 about it; and just now you said maybe you missed seeing
 16 job grade 6 in the email. So I'm asking which one is
 17 it? Did you miss it, or do you recall seeing it but not
 18 having any concern about it?

19 MS. GIBSON: Object to form.

20 A. I recall your questioning was about how I felt
 21 about seeing it or how -- how that made me feel if I did
 22 see it. It was not a question of did I see it or I
 23 didn't see it or if I missed it or not.

24 So I felt like that there was no emotion attached
 25 to it when you asked that question. So I'm not sure

what the next question even -- I mean, I'm not sure how to answer that next question.

Q. (BY MS. WILLIAMS) So -- just so that the record is clear, though, do you recall seeing a reference to the job grade 6 in an email, as you testified to a few minutes ago?

A. I believe so, yes.

Q. Okay. Do you think you missed the reference to the job grade 6 in the email, as you testified a few minutes ago?

A. I missed an opportunity to actually speak about it or to bring it up. Because if it was there, I should have brought it up.

Q. Okay. So the -- for clarification, the missed opportunity was you raising it when you saw it, not you missing it altogether?

A. Correct.

Q. But in any event, you recall seeing it and you went through the interview process having seen that it was a job grade 6; is that right?

A. From my recollection, yes.

Q. And then so you went through -- once you got the invitation, you submitted the same material that you previously submitted? Is that a fair --

A. I -- I believe so.

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Q. But she was in one, is your best recollection?

A. Correct.

Q. And then maybe Sri, you said?

A. Yes.

Q. Was Sri in one or both?

A. One, I believe.

Q. Do you recall which one?

A. I believe the second one, but I -- that's just -- I'm not a hundred percent certain.

Q. Okay. And so how did the -- during the interview with this group, did you-all have any discussions about what happened during -- with the -- with the previous role?

A. No. I was more focused on, again, interviewing and trying to be hired at that point.

Q. You didn't ask any questions about this role compared to the previous role or any changes or anything --

MS. GIBSON: Object --

Q. (BY MS. WILLIAMS) -- of that nature?

MS. GIBSON: Object to form.

A. Not that I recall, no.

Q. (BY MS. WILLIAMS) Did any of the Shell representatives in the interview offer any explanation or information or update about what had transpired since

Q. -- kind of summary -- summary?

A. They -- they may have had it already and it could have been a fast track process. They could have -- they've already had all my information. So it could have been just a sign-in date, now here's your interview setup. I don't -- I can't recall that, going through the same exact resume upload and name and all the information. They already had it. So.

Q. You just don't recall if you actually had to do that again a second time?

A. The full process, I know it was set up to do that; but I'm not sure the key strokes, no.

Q. Okay. And so at some point you were invited to come back in to interview; is that right?

A. Correct.

Q. With whom did you interview?

A. I believe it was the same group. Maybe Sri might have been in that interview the second time. I'm not a hundred percent certain.

Q. Okay. So the same group would be Chris Riley, Michael Tickle, Jennifer Hartnett?

A. Priscilla Partida, she was part of that group.

Q. Priscilla -- was Priscilla part of the group for the second interview or the first or both?

A. I can't recall which one she was in.

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1 your last interview?

2 A. Not that I recall, no.

3 Q. Did you have any information either from the
4 Shell representatives you interviewed with or from
5 someone else as to how many candidates were being
6 interviewed for this position?

7 A. Not that I recall, no.

8 Q. Was it your understanding that you were the only
9 candidate or did you believe there were others?

10 A. I assumed that there would be others.

11 Q. Was there anything that you recall that was
12 different about this interview compared to the first
13 interview?

14 A. No.

15 Q. And how did you feel about your performance
16 during the interview when you left?

17 A. The exact same as my first.

18 Q. Were you given an indication by any -- anyone at
19 Shell as to what the next steps would be after your
20 interview?

21 A. Standard, we'll be in contact, we'll reach out.

22 Q. Did they give you a time frame?

23 A. Not that I can recall, no.

24 Q. Did you have any followup discussions with anyone
25 after the interview?

1 A. Not that I can recall.

2 Q. And similarly, during the interview, did you-all
3 have any conversation specifically about the job grade
4 for the position?

5 A. Not during the interview, no.

6 Q. Did you-all -- during the interview, did you-all
7 have any discussions about the compensation range for
8 the position?

9 A. No.

10 Q. Did you have an understanding as to what the
11 compensation range would be for the position?

12 A. I can't recall, honestly.

13 Q. Did you have any personal guesses as to what the
14 compensation range would be for the position when you
15 interviewed for it?

16 A. I potentially could have, but I can't remember,
17 honestly.

18 Q. Was it more or less than what your personal guess
19 was for the previous position, or the same?

20 A. I would say around the same.

21 Q. When you left the interview, were you -- did you
22 think that if you were offered the position you would
23 accept it?

24 A. Yes.

25 Q. And what was the next step in the progression

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1 steps to follow.

2 Q. What -- do you recall there being a reference to
3 the salary and the job grade in this communication?

4 A. I believe so. That's -- I believe that's when I
5 asked about the job grade designation.

6 Q. Okay. And what specifically did you ask?

7 A. Paraphrasing, I thought this was a job grade X.
8 It's now a job grade 6. What happened?

9 Q. What's the -- what's the X that you thought it
10 was?

11 A. I believe I might have said -- I think I said 5,
12 job grade 5. I can't recall exactly what I said.

13 Q. Okay. And what was the response that you got
14 about that?

15 A. That I applied for a job grade 6 role and that
16 was the role I'm being hired for -- or offered, not
17 hired at that point, offered.

18 Q. Who -- who communicated that to you?

19 A. I believe it was Lisa. Not a hundred percent
20 certain.

21 Q. Did you have any other questions about that?

22 A. I didn't have followup after that. I didn't, no.

23 Q. You did not follow up with any questions to her
24 after she told you that --

25 A. No. Sorry.

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1 after you completed the interview?

2 A. I'm -- my assumption is behind the scenes they
3 decided who they wanted to hire and reached out to the
4 candidate they wanted to hire. So I -- like normal
5 interviews, play the waiting game until you're
6 contacted.

7 Q. Do you recall how long you waited before you
8 heard back?

9 A. I don't.

10 Q. Was it weeks or months?

11 MS. GIBSON: Object to form.

12 A. I was hired in August, so it couldn't have been
13 too long, I mean.

14 Q. (BY MS. WILLIAMS) Do you recall who contacted
15 you to notify you -- well, you were offered the position
16 at some point, correct?

17 A. Yes.

18 Q. Do you recall who communicated the offer to you
19 initially?

20 A. I can't recall if the email was from Lisa or
21 Tyler. I received an email.

22 Q. Okay. And do you recall anything specific about
23 the email in terms of what the offer was?

24 A. It was standard job offer terms and next steps
25 of if you -- if you choose to accept, then here are the

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1 Q. I'm sorry.

2 -- that you applied for a 6 -- I'm sorry.
3 That -- that you applied for a 6 and that's the role
4 that's being offered, you didn't have any followup
5 questions for her after that?

6 A. No, not that I recall.

7 Q. Did you have any concerns in your mind about
8 that?

9 A. In that moment, nothing that would have prevented
10 me from accepting the role, because that's the role that
11 I was seeking out, had been seeking for quite some time.

12 Q. Okay. Well, I'm not limiting it in that respect.
13 So I understand that the concern may not have stopped
14 you from taking the job, but did you have any concern at
15 all at that time or questions about the change in the
16 job grade at that moment?

17 A. Honestly, I don't recall if I questioned myself
18 about that at that point. I know I asked her the
19 question, so. That was the concern at that point.

20 Q. Did you have an understanding at this point in
21 the process when you were offered the position that
22 there was any connection between job grade and
23 compensation?

24 A. I'm not a hundred percent certain, but I believe
25 I did at that point.

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Q. And so even though you had questions about the change in the job grade and the fact that it might impact compensation, you did not follow up and explore what the issue was and why there was a change?

A. No.

Q. Why not?

A. At that point in my career, I felt like that if the opportunity presented itself to take on a role that I've been wanting, that I would figure out what I consider the rest once I got there. I'd work my way, I would get in there, you know, show them my worth, show them my value, and work my way into the compensation piece. That's just, from an early age in life, that's just how I was raised, to get in there and figure it out once you get in there.

Q. And so the fact that the lower job grade may have also impacted the compensation wasn't something that concerned you?

A. In that moment, no.

Q. At any moment at some point?

MS. GIBSON: Object to form.

You can answer.

A. Yes, that concerned me once I figured out that I was racially discriminated against because of, you know, job grade pay and all that. Yeah, it became very -- a

very big concern.

Q. (BY MS. WILLIAMS) So for six years from 2014 until 2020, you didn't have any concerns about the impact of your job grade on your compensation because you were just going to get in there, work, and figure it out; is that a fair --

A. I wouldn't --

Q. -- characterization?

A. I wouldn't use -- not a fair characterization.

Q. Okay.

A. I wouldn't use "concern"; but you do start to study and learn and understand in more detail how those job grades and pay structures fluctuate. So.

I wouldn't call it a concern. I wasn't concerned about my job. I was just merely educating myself more like anyone else would about how that growth structure works.

Q. Okay. But when you accepted the job, you knew that it was a job grade 6, correct?

A. Correct.

Q. You also understood that that was lower than the job that you -- grade that you previously applied for, correct?

A. Correct.

Q. You also understood that taking a job grade 6

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position would have or could have an impact on your compensation, correct?

A. It could, correct.

Q. And the fact that you were being offered a lower job grade did not -- didn't cause you to raise any questions within Shell about how that might impact the compensation offer they were making to you?

A. No.

Q. When you interviewed the second time, did you have any conversations with Carl Williams about what was going on behind the scenes regarding this position?

A. Carl and I talked about -- I mean, not -- I'm not sure about detail. I know that it was limited information he probably could tell me. So I wasn't actively seeking out, hey, can you go look behind the scenes; just asking for updates on what was going on. So.

Q. Okay.

A. Wasn't asking anything, I don't believe, anything direct about was I hired or was I -- was I not hired. It was more, can you get some information about what's going on.

Q. Did he give you any information about what was going on behind the scenes at any point?

A. From what I call -- recall, he -- he mentioned

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there were several candidates, they were still looking. That's what I do remember.

Q. That was before your second interview, right?

A. That was during that entire interview process. I'm not sure where that actually landed, but it was during that process.

Q. Did you have additional conversations with Carl after you interviewed the second time?

A. I'm not a hundred percent certain. I may have talked to Carl on the phone maybe once, but that was more of just checking in. But I don't believe we discussed a lot about Shell.

Q. What's Carl's race?

A. He's black.

Q. Did you and Carl have any conversations about his experience as a black employee at Shell?

A. No.

Q. Did you ask him any questions about that?

A. No.

Q. Has he ever shared with you, since you first met him in late 2013, what his experience as a black employee at Shell has been like?

A. Not that I recall, no.

Q. Do you have any information about his experience as a black employee at Shell?

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1 A. No, not that I recall.

2 Q. I mean, you think you might have, you're just not
3 recalling it, or --

4 A. I -- I don't believe I have any information about
5 Carl's experience at Shell.

6 Q. Okay. So he has never shared information with
7 you about his experience as a black employee at Shell;
8 is that right?

9 A. I don't believe so, no.

10 Q. And have you ever asked him any questions about
11 his experience as a black employee at Shell?

12 A. I don't believe so, no.

13 Q. Have you asked him any questions about the
14 experience of black employees generally at Shell, given
15 his work at Shell?

16 A. No, I don't believe so.

17 Q. Has he offered to you any information about the
18 experiences of black employees at Shell generally, based
19 on his experience there?

20 A. I don't believe so, no.

21 MS. GIBSON: Marlene, whenever you want,
22 whenever you get to a good point, can we take a
23 restroom --

24 MS. WILLIAMS: Yeah, we can do that now.

25 MS. GIBSON: Okay.

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1 A. I believe he was a senior level originator.

2 Q. Did he work with Jennifer and Michael, to your
3 knowledge?

4 A. They were all under the same umbrella. So yes,
5 their jobs were functional amongst each other, correct.

6 Q. As a senior level originator with -- was it your
7 understanding that Carl was doing similar work to the
8 work that you were coming in to do in power sales?

9 A. No, he was not doing the day-to-day transacting
10 that power sales does. Origination, in that title at
11 that point, was long-term structured deals. So
12 developing the long-term relationship to sign a
13 structured deal, to where Shell becomes your financial
14 backing. So now you're able to post to certain ISOs,
15 Shell is able to finance you -- finance your structure
16 and your deals.

17 Q. What --

18 A. So he does more of that setup of long-term deal
19 generation.

20 Q. What's an ISO?

21 A. Independent service operators, like ERCOT. I
22 know a lot of folks in Texas are familiar with ERCOT.

23 Q. Uh-huh.

24 A. That's an ISO.

25 Q. Okay.

1 THE VIDEOGRAPHER: The time is 10:50 a.m.,
2 and we are off the record.

3 (Recess from 10:50 a.m. to 11:06 a.m.)

4 THE VIDEOGRAPHER: The time is 11:06 a.m.,
5 and we are back on the record.

6 Q. (BY MS. WILLIAMS) Mr. Dedmon, we just took a
7 short break. You understand you're still under oath,
8 correct?

9 A. Yes.

10 Q. Before the break I think we were talking about
11 discussions you may or may not have had or information
12 you may or may not have gotten from Carl Williams.

13 Did you notify Carl that you got a job offer
14 after your second interview?

15 A. I don't recall. I know he was aware of it, but I
16 don't recall if I --

17 Q. What was --

18 A. -- if I told him or not --

19 Q. I'm sorry.

20 A. -- directly.

21 Q. What was Carl's position at Shell during this
22 time frame --

23 A. I believe he was --

24 Q. I'm sorry. Let me just clarify, during the 2014
25 time frame?

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1 A. And you have to post collateral to ERCOT to be
2 able to deliver energy.

3 Q. So that was his wheelhouse --

4 A. Yes.

5 Q. -- at the time?

6 A. Long-term, long-term.

7 Q. Okay.

8 A. Correct.

9 Q. Is Carl still with Shell?

10 A. No.

11 Q. Do you recall when he left?

12 A. Shortly after I started, Carl informed me that he
13 was leaving.

14 Q. Did he tell you why he was leaving?

15 A. I believe he wanted to go back home to Jamaica
16 for a little bit and be more flexible with family. He
17 didn't tell me exactly what he was going to do
18 employment-wise, but part of our conversation was just
19 generally speaking about going back home. He's from
20 Jamaica.

21 Q. Did he ever complain to you about anything that
22 happened to him at Shell?

23 A. No.

24 Q. Did you ever complain to him about anything that
25 happened to you at Shell?

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1 A. Multiple factors.

2 Q. Okay. So group performance is one of the
3 factors?

4 A. Personal performance, revenue, overall what Shell
5 globally is accomplishing and doing.

6 Q. Okay. And when you say "revenue," do you mean
7 overall revenue for the company or revenue that you are
8 bringing in or your group is bringing in or something --
9 some combination of that?

10 A. My -- my group in combination with -- Shell
11 Trading and my group -- what my group adds to Shell
12 Trading as a whole.

13 Q. Okay. So the revenue component, as you
14 understand it, is based on what Shell Trading brings in
15 and then what your group brings in to Shell Trading?

16 A. Correct.

17 Q. Okay. Is there any assessment of your -- the
18 revenue that you specifically bring in, or does that
19 fall under your individual performance?

20 A. We --

21 MS. GIBSON: Object, form.

22 You can answer.

23 A. As our group, we do document customer and revenue
24 brought in by customer; but that is a group number
25 evaluated by Shell, like, okay, what did senior

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1 when I decided to do it, I was clearly eligible at that
2 point to do it.

3 Q. Okay. I think you started working in the power
4 sales position sometime in August of 2014; does that
5 sound right?

6 A. Yes.

7 Q. When you started in August of 2014, to whom were
8 you reporting?

9 A. So it's clearly levels. I believe Michael Tickle
10 at that point was our team lead. So if I had any
11 real-time, like, instant questions on the job, questions
12 about transacting, he was sitting in our group so he
13 would be my first point of contact.

14 Clearly Priscilla was there as well, and then it
15 was Sri and Jennifer Hartnett was the pecking order of
16 supervisor. And then I'm not sure actually Jennifer's
17 actual title, but she was Sri's boss.

18 Q. Okay. So Jennifer was the senior most --

19 A. Yes.

20 Q. -- in the group at the time?

21 A. Correct.

22 Q. And then Sri reported to Jennifer?

23 A. Yes.

24 Q. And then Priscilla reported to --

25 A. We all reported up at that point, but then there

1 mid-marketing do for Shell in 2023?

2 Q. (BY MS. WILLIAMS) Okay. Anything else, to your
3 knowledge, that is involved in calculating the bonus
4 component of your compensation?

5 A. No.

6 Q. Other than your base salary and your bonus, were
7 there any other components of compensation communicated
8 to you in the offer letter?

9 A. Not that I recall.

10 Q. Currently are there other parts of your
11 compensation, other than your base salary and your bonus
12 structure, that you receive at Shell?

13 A. No compensation. Shell offers to all employees a
14 Shell purchase -- stock purchase program, but that's not
15 compensation. That's just an ability to buy Shell stock
16 at a discounted rate. So that's not particular to my
17 job; but that is money that you're putting towards that
18 and receiving every year.

19 Q. When have you been eligible to participate in the
20 stock purchase program?

21 A. I believe I was always eligible. I think I
22 started three or four years ago just allocating funds
23 towards that every year. There may have been in the
24 beginning a period of time that you had to work there,
25 but I didn't start immediately with that program. So

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1 was clearly pecking order on our actual -- we call it
2 the desk.

3 Q. Okay.

4 A. You know, just by, you know, tenure there.

5 Q. Who was on the desk at that time?

6 A. Michael Tickle, Jimmy Promobul, Priscilla,
7 myself, Patrick Frnka. And Susan Smith was on our desk,
8 but she was located in Syracuse. She works remote in
9 Syracuse.

10 Q. Okay. Do you recall what Jennifer's title was at
11 the time?

12 A. I don't.

13 Q. What about Sri's title?

14 A. I don't recall her exact title.

15 Q. Do you know what Jennifer's job grade was at the
16 time?

17 A. I don't.

18 Q. What about Sri's?

19 A. I don't.

20 Q. Okay. Michael Tickle, do you recall if -- what
21 his specific title was at the time?

22 A. He was power sales sales rep, but he was
23 designated as our team lead. He may have put that in
24 his email, but it was not a -- I don't think it was an
25 official Shell title, but we assumed lead roles on that

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1 desk.

2 Q. Do you know what his job grade was at the time?

3 A. No.

4 Q. And Jimmy, do you know what his title was?

5 A. Same as mine, sales.

6 Q. And what about his job grade?

7 A. No.

8 Q. Priscilla, do you know what her title and job
9 grades were -- job grade were?

10 A. Title, same as mine, not sure about her job
11 grade.

12 Q. Patrick?

13 A. Same.

14 Q. Do you know what his job grade was and what his
15 title was?

16 A. Did not know job grade. Title, same as mine.

17 Q. Susan -- excuse me -- Susan Smith, do you know
18 what her title was?

19 A. Same as mine, sales rep power sales. And did not
20 know her job grade.

21 Q. Okay. Did we talk -- have we identified
22 everybody who was --

23 A. Yes.

24 Q. -- in the group at the time?

25 A. Yes.

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1 Q. Did you ever have any discussions with Jennifer
2 Hartnett about your job grade or compensation when you
3 started reporting to her in 2014?

4 A. Not that I'm aware of, no.

5 Q. What about Sri, did you interact with Sri
6 regularly when you started in 2014?

7 A. About the same, correct, yes.

8 Q. And did you have any discussions with Sri about
9 your job grade or your compensation when you started in
10 2014?

11 A. We had discussions when the job grade changed,
12 correct.

13 Q. When did it change?

14 A. It was approximately six months after I started,
15 so 2015.

16 Q. So you had communications with Sri about your job
17 grade changing?

18 A. Yeah. I believe she was the one who informed me
19 of the change.

20 Q. And what did she tell you?

21 A. Not sure verbatim, but there was a -- I believe
22 it was tagged as a promotion to job grade 5.

23 Q. Okay. Do you know if there was an -- an opening
24 that developed that led to this, or what the
25 circumstances were?

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1 Q. What did -- what was the name of the group? How
2 did you all refer to yourselves within the organization?

3 A. I referred to us as power sales. Some traders
4 would say power sales. Some traders, depending on their
5 region, would say mid-marketing. Even some of the old
6 school traders who had been around a while would call us
7 origination.

8 Q. Okay. So even at this time, it was sort of
9 people referred to it among these several different
10 names?

11 A. Correct.

12 Q. Okay. What group was Carl in at the time?

13 A. He was in the origination portion of our
14 umbrella.

15 Q. That would have been considered a separate group
16 from your group, correct?

17 A. Correct. Yes.

18 Q. And so did you have interaction with Jennifer
19 Hartnett on a regular basis during this time when you
20 started in the JG 6 role?

21 A. Yes, we communicated. I would say we spoke daily
22 because she would walk by and just check on us. She
23 would, you know, have some meetings that she
24 participated with us; but yeah, I communicated with her
25 consistently.

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1 A. I believe Jimmy moved over to the actual trade
2 group. So there was an opening. And at that point it
3 was clear what job grade became available, so what job
4 grade Jimmy was at the point, at that moment, it was --
5 you can assume that at that point, hey, job grade 5
6 opened. That means whoever left was a job grade 5.

7 Q. Right. Okay. That's your assumption?

8 A. Correct.

9 Q. Okay. And so when Jimmy left, Sri came to you
10 and informed you of an opportunity for you to move into
11 a JG 5 role --

12 A. Yes.

13 Q. -- within the group?

14 A. Correct.

15 Q. Okay. What did she tell you specifically,
16 though, about -- I mean, like --

17 A. I can't remember the exact conversations we had
18 about it, but it was more of a promotion.

19 Q. So she came to you and told you that you were up
20 for a promotion or you could apply for a promotion or
21 what would the process be?

22 A. That there was availability for a job grade 5 and
23 that I earned -- earned that with my performance, that
24 that role could be mine.

25 Q. And what did you tell her? Were you interested

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1 in it?

2 A. Yes.

3 Q. And what did you tell her?

4 A. Not sure exactly what I told her, but definitely
5 I was interested in it, that if you guys want to give me
6 that promotion, I'm not going to tell you no.

7 Q. Did she give you any other details about the
8 position, with respect to compensation, for example?

9 A. I'm not sure if there were compensation
10 discussions at that point.

11 Q. At some point were there compensation
12 discussions?

13 A. Yeah, compensation was disclosed at that point --
14 some point, because you have to go in and -- the Shell
15 process is I had to actually apply for that job grade
16 electronically and then be awarded that promotion
17 electronically.

18 Q. And did you apply?

19 A. Yes. Or -- I clicked that I would accept that
20 role. I'm not sure the actual application process on
21 that, but it is a process as well.

22 Q. Do you recall participating in an interview for
23 that position?

24 A. I -- honestly, I don't believe I did at that
25 point. I believe it was just a promotion.

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1 individuals may have been interviewed for the role, but
2 you were not aware of that at that time?

3 A. Correct, I wanted to make that --

4 Q. Okay. Okay, yes.

5 A. -- distinction on those two.

6 Q. Okay. No, I appreciate that. So at the time you
7 didn't know whether other people were being interviewed
8 and considered or not; is that right?

9 A. Correct.

10 Q. Okay. Do you recall being officially offered the
11 promotion?

12 A. I believe I had to accept it electronically, yes.

13 Q. And you did that, correct?

14 A. Correct.

15 Q. Before you accepted it, were you aware of the
16 compensation for the role?

17 A. I believe I was told before that, yes, what the
18 compensation would be.

19 Q. And what was the compensation?

20 A. I believe it was one fourteen.

21 Q. That was the base salary?

22 A. Yes.

23 Q. Did -- did anything change about the -- was --
24 did the position also come with bonus opportunity?

25 A. Yeah, the same bonus structure.

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1 Q. Do you know if other individuals were considered
2 for the position?

3 A. I don't.

4 Sorry. Correct, at that -- at that point, I did
5 not know that.

6 Q. At that point --

7 A. I had no idea if anybody was interviewing for it
8 or not.

9 Q. Did you later learn that other people interviewed
10 for it?

11 A. I believe it was disclosed that they had to go
12 through an interview process, I believe. Shell standard
13 procedure, if you post a job, you have to actually
14 interview for that job.

15 Q. You understand that to be a part of Shell's
16 procedure?

17 A. Policy, yes, correct. If a job is posted, it has
18 to be -- you have to interview for the job.

19 Q. How did you learn -- you said it was disclosed
20 that you had -- from whom was that disclosed?

21 A. Just through communication with the lawsuit
22 documentation, I believe it was -- I believe there was
23 names that people were interviewed for this role.

24 Q. Okay. So you're saying through information
25 you've seen in the lawsuit, you were aware that other

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1 Q. Okay. Same bonus structure, okay.

2 And did the title of the position change?

3 A. No. Title did not change.

4 Q. Did any of your responsibilities change in the
5 role?

6 A. No.

7 Q. And then it was confirmed that it was a JG 5
8 position, correct?

9 A. Correct.

10 Q. Did you have any questions about the compensation
11 that was offered to you for this role?

12 A. Not that I can recall, no.

13 Q. Were you aware as to whether or not the \$114,000
14 offer was within the range set for a JG 5 position?

15 MS. GIBSON: Object to form.

16 A. I don't believe I saw a range for that.

17 Q. (BY MS. WILLIAMS) Are you aware that there's a
18 range --

19 A. Yes.

20 Q. -- for job -- there's a compensation range for
21 job grades?

22 A. There is, yes, correct.

23 Q. When did you become aware of that?

24 A. Throughout my employment.

25 Q. And so you made no inquiries to determine where

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the \$114,000 salary increase fell for a job grade 5 position?

A. No.

Q. You were comfortable with the offer?

MS. GIBSON: Object to form.

A. I accepted the offer.

Q. (BY MS. WILLIAMS) Did you have problems with the offer?

A. No problem with the offer.

Q. When you moved into the JG 5 role, what happened with your JG 6 role?

MS. GIBSON: Object to form.

You can answer.

A. I believe it was reposted.

Q. (BY MS. WILLIAMS) And what do you mean by reposted?

A. Shell posted up the job that's available in our group on their internal and external.

Q. To receive applications?

A. Correct. Sorry, posted means -- yeah.

Q. I just wanted to, for the record --

A. Yeah, that's all right, yeah.

Q. Yeah. Okay. Okay. Do you know if anyone ever filled the JG 6 role?

A. I'm not sure who came before or after. I believe

Raif may have filled that role at some point, but I know Justin and Meredith also came into our group throughout that process as well. So I'm not sure where they landed and which job grade they landed in. I'm not a hundred percent certain. We had continued hiring over the next couple years.

Q. What's Justin's last name?

A. Mody.

Q. And Meredith?

A. Lolley.

Q. And Raif?

A. Rucker.

Q. Okay. So you're saying that you know they brought some new people in, but you don't know which of these new people actually filled the JG 6 role that you vacated --

A. Correct.

Q. -- is that right?

A. Correct.

Q. Okay. I think you said that Michael Tickle was the team lead during this time?

A. I can't confirm if it was officially documented that by Shell, but he was assumed amongst us as being the team lead.

Q. How long -- did he continue to be team lead for

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you when you got the JG 5 role?

A. Yes.

Q. Did you continue to report to Jennifer Hartnett, ultimately report to Jennifer Hartnett in the JG 5 role?

MS. GIBSON: Object to form.

Q. (BY MS. WILLIAMS) Or did that change?

A. At some point in my tenure there, Shell went through another reorganization. I'm not sure when Jennifer was removed from our -- managing our group and it became Chris Riley. There were -- there were several reorganizations within Shell.

Q. Okay. Just to help me sort of for the time frame, from the time you started in 2014 until approximately when was Jennifer the manager for the group?

A. I would say two to three years, maybe.

Q. So do we want to say until about 2016-2017; is that fair?

A. That's fair.

Q. And then after Jennifer moved, Chris Riley became the manager for the group, somewhere around 2016 or 2017?

A. Not exactly sure when that actually happened.

There were -- our group was, on paper, just moving around. We had different GMs come in, different people

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come take over trading. So the structure of our group continued to change when it came to leadership.

Q. By "GM" you mean general manager?

A. Yeah.

Q. Okay.

A. Just overall GM of the North American trading team.

Q. Was Jennifer Hartnett a GM?

A. I don't -- no, she wasn't.

Q. Okay. So GM is a higher level --

A. Higher level --

Q. -- than Jennifer Hartnett?

A. -- yeah. GM or that level comes in and makes those decisions about who runs what group, and it could range from anyone. They could just place someone there that had no -- that couldn't do our job but could actually manage people, per se.

Q. Uh-huh.

A. So.

Q. Okay. But do you remember Chris Riley coming in immediately after Jennifer Hartnett as the manager for -- excuse me -- for your group?

A. I believe he was next in line, yes.

Q. Okay. And so roughly between -- around 2016-2017; does that sound about right, if that's when

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1 she left?

2 A. From what I can remember, yes.

3 Q. And how long was he manager of the group?

4 A. Up until probably about a month ago Chris has, in
5 some functionality, been who we directly report to at a
6 higher level.

7 Q. Okay. So basically through present?

8 A. Correct.

9 Q. Okay. And has Sri stayed in the group?

10 A. Sri is no longer with Shell.

11 Q. When did Sri left -- leave? I'm sorry.

12 A. Maybe 2021. I'm not exactly sure when she left.
13 2021, '22, maybe.

14 Q. Okay. Who assumed Sri's role, if anyone, when
15 she left, within the group?

16 A. I'm not sure.

17 Q. Okay.

18 A. No one for our group.

19 Q. What is Michael Tickle's current role within the
20 group?

21 A. He is our -- they call it a supervisor now. I
22 would assume we report to him, then Chris Riley. So he
23 doesn't -- he's removed himself from the day-to-day
24 transacting side and now just manages our group.

25 Q. Michael does?

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1 believe that's it.

2 Q. Okay.

3 A. Oh, sorry. Jim Barker sits with us, too.

4 Q. Okay. What is your -- and I'm sorry if this is
5 in the record already, but we've talked about different
6 titles. What is -- what is your current title
7 officially within the organization?

8 A. We're considered originators now.

9 Q. Okay.

10 A. I think that's what is on Shell documentation.

11 Q. Do you recall as of when you got that title?

12 A. It's been about a year, maybe less than a year,
13 they changed those titles.

14 Q. And then before that, was it still power sales
15 or --

16 A. Mid-marketing was what it was called at that
17 point.

18 Q. Okay. Ken, what is Ken's title?

19 A. We're all, I believe, originators.

20 Q. Okay. When you say we all --

21 A. Like our -- our entire group is now considered
22 originators.

23 Q. Okay. So that's Ken, correct?

24 A. All the -- all the folks that I listed.

25 Q. Everybody that you --

A. Yes.

2 Q. Okay. Is it fair to -- and I'm just asking to
3 kind of get an accurate picture of this. Is Michael in
4 a similar role vis-à-vis Chris Riley that Sri was to
5 Jennifer?

6 A. It's correct to assume that, yes.

7 Q. Okay. That's --

8 A. Hierarchy, yes.

9 Q. And is there -- is there a leadership role within
10 the group under Michael currently?

11 A. No. It's just -- it kind of flattens out to...

12 Q. The desk?

13 A. The desk, correct.

14 Q. Do you know who -- who is currently on the desk
15 now?

16 A. Myself, Ken Ueng who is new to our team, Thomas
17 Jones who's also extremely new to our team. And then
18 Patrick is still with our group. Susan is with our
19 group. Douglas Hund is with our group, Doug Hund. Mike
20 Deley was with our group up until about, I would say,
21 three months ago. He's kind of taken over an
22 origination role. He still transacts with us day-to-day
23 as he moves away from it.

24 Q. Anyone else?

25 A. I believe that's it. Just counting bodies, I

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1 A. Yes.

2 Q. There's no senior originator, junior originator,
3 nothing along those lines?

4 A. I think there's a designation, but I'm not sure
5 who is what. They would have to put that actually in
6 their email, you know, salutation to determine that.
7 I'm not sure if they have the junior or senior
8 designation.

9 Q. Okay. You're just not aware?

10 A. Correct.

11 Q. Okay. Do you know for -- do you know Michael
12 Tickle's current job grade?

13 A. Today I do know through this process. I believe
14 it's a 3, 3 or a 2.

15 Q. Okay. Do you know the job grades for any of the
16 other individuals on the desk?

17 A. As of today, yes, I do.

18 Q. Okay.

19 A. Douglas Hund is a 5. I'm currently a 5. Patrick
20 and Susan are 4s. Mike Deley is a 4. And those are the
21 ones that I do know.

22 Q. Jim?

23 A. I'm not sure about Jim. Ken or Thomas, I'm not
24 sure about their job grades.

25 Q. Okay. You're not sure for Ken, Thomas, or Jim,

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A. Correct.

Q. When did -- when did Ken start? You said he's new?

A. He's not new to Shell, he's new to our group.

Q. I see. And Thomas?

A. I believe Thomas is actually new to Shell.

Q. Okay.

A. He came in -- prior to us coming back from working from home, Thomas joined our team.

Q. And then Jim Barber [sic]?

A. Jim has been at Shell a very long time, but I believe in various groups. So he was in the gas group for a while.

Q. Okay.

A. Still doing gas and some of those gas folks report to Michael.

Q. Okay. Since the promotion in 2014, the JG 5 promotion you got --

A. Yes. Early 2015.

MS. GIBSON: Object.

MS. WILLIAMS: I'm sorry?

MS. GIBSON: Never mind. He corrected you.

MS. WILLIAMS: Okay.

MS. GIBSON: I was going to object.

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Q. (BY MS. WILLIAMS) Did I say 2014?

A. Yes.

Q. I'm sorry. 2015. Thank you. Sorry about that.

Have you applied for any other jobs at Shell?

A. I applied for -- I believe it was jet fuel. Jet fuel is another commodity at Shell, a role there.

Q. That's a different group?

A. Correct.

Q. Okay. When did you apply -- what was the position exactly?

A. I think it was jet fuel operator -- I'm not sure how they coded the name, but it was in the jet fuels group. It was similar job task to what I do in the power side. Not fully aligned, but my experience fit that job pretty consistently when it comes to sales and communicating with customers outside -- stakeholders outside of Shell.

Q. Okay. When did you apply for the jet fuel position?

A. It was '23, I believe. I think I have that written down somewhere.

Q. 2023?

A. Sorry. Let me look. I can tell you when.

Actually no, it was before then. It was twenty -- late '21.

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Q. Okay. Who -- okay. So how did you learn about the jet fuel position?

A. Just looking on Open Resourcing.

Q. What is Open Resourcing?

A. It's the -- it's an intranet or internal site about jobs that are posted for Shell.

Q. As an employee, you have, like --

A. All -- all employees have access to that.

Q. I'm just -- as an employee, you have access to Open Resourcing to look at open jobs; is that right?

A. Correct, yes.

Q. And you can do that any time you want to?

A. Yes.

Q. And throughout your employment at Shell, you have done that, it sounds, periodically?

MS. GIBSON: Object to form.

A. I check periodically.

Q. (BY MS. WILLIAMS) I'm sorry?

MS. GIBSON: You can answer.

A. Yes, I check periodically.

Q. (BY MS. WILLIAMS) Okay. And so in 2021 -- or late 2021, you saw an opening for a jet fuel position with similar responsibilities to what you do as an originator, and applied for that position, right?

A. Correct.

Q. Since this was posted on -- is it actually posted on Open resources [sic] where you can submit your application through Open resources, or do you have to go through a process where somebody invites you and you get an email?

A. You can actually -- because all your information now, if you create your talent card, you can just click a button and it populates all your talent information to that posting and it's pretty quick to be able to apply.

Q. Okay.

A. It's -- go ahead.

Q. So when you create a talent card, do you create that for a specific position or do you create that generally so that when a -- a position that you're interested comes available, your talent card is there to submit?

A. Yeah, general information.

Q. Okay. And so the jet fuel position, you -- did you actually go through the process of submitting an application for that?

A. Yeah, I applied through the --

Q. Okay. Through Open resources?

A. Correct.

Q. And then what happened with that application?

A. I was never informed about -- I never received an

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interview. The only thing I had was a -- it's called a Get to Know You. So you figure out who works kind of in that group, reach out just to have a lightweight 15-minute conversation about the group. It's like a pre-screening, I would say, for both sides, for me to get more information outside of just reading it, to hear someone talk about; and for them to get a feel for who I am. It's not an official interview by any stretch, just a Get to Know You session.

Q. Is it virtual or in person?

A. Mine was on a call at that point because we were still distancing ourselves. We weren't doing a lot of face-to-face activity.

Q. Because of COVID?

A. Yeah.

Q. Okay. Do you recall who you visited?

A. I don't recall their name.

Q. Was it one person?

A. Yes, one person.

Q. And it was a woman?

A. Yes.

Q. Okay. Were you still interested in the job after the get-together?

A. Yes.

Q. Okay. And so what happened next?

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Q. Have you unofficially applied for other jobs?

A. I've looked around for other jobs. I have not applied for any jobs.

Q. What do you mean "looked around for other jobs"?

A. Just looking on Open Resourcing to see what's available.

Q. Other than the jet fuel job, have there been other jobs that you've seen on Open Resourcing that you've been interested in?

A. There was a job grade 4 in our group. Once -- when Ryan -- actually, Ryan Kolkmann was a part of our group at a point. He left and that job grade 4 became available. It was emailed to us by Michael Tickle that he wanted to replace that role and he needed our help resourcing and finding someone that could be a good fit for our group. So that was a job that was -- after the fact, I became aware that it was available for me to actually apply, but it was encouraged and made very clear to us that we should be helping find someone to come into our group and not just merely replacing that role with one of us.

Q. Made clear by whom?

A. Michael Tickle.

Q. Okay. So but you initially saw the job on Open Resourcing?

A. I'm assuming they hired someone for that role. I was -- I -- I just kind of at that point chalked it up to I'm not a good fit for their group after the Get to Know You. I'm not sure what they decided, but I never got an interview so I didn't -- I didn't push any further.

Q. Did you ever go back on Open Resourcing to see if the job was still posted or what happened with the job?

A. They hired someone for the job because it was no longer posted.

Q. So it's your understanding that if it's no longer posted, that means they hired somebody, as opposed to the position, for example, you know, just being closed?

A. It's my understanding that when it's removed, someone is hired for it.

Q. Okay. Do you know who was hired?

A. No.

Q. Do you have any complaints in this lawsuit about not getting that position?

A. Not that position, no.

Q. Okay. All right. So we were talking about other jobs that you applied for, the jet fuel. Have there been any other jobs that you've applied for since you've been at Shell?

A. I have not officially applied for other jobs, no.

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A. I didn't officially see the job on Open Resourcing, no.

Q. Was it on Open Resourcing, to your knowledge?

A. After -- after Michael Deley received the role, yes, I was made aware that it was out there to be resourced.

Q. So during the time that this JG 4 position was posted, you had not been on Open Resourcing --

A. No.

Q. -- just kind of looking for possible positions?

A. I was not looking daily. It was maybe twice a year. I'm not sure how many times I looked, but I was not just Googling all day for jobs.

Q. Sure. But I mean had you -- had you gone to Open Resourcing when it was posted, it's a job that you could have seen there, right, because it was posted there?

A. Correct.

Q. Okay. Okay. And you said that Michael encouraged and made it clear that he wanted you-all to find someone to bring into the group?

A. Correct.

Q. What did he say specifically?

A. I don't have the email in front of me. But he asked for us to find someone because we were about -- it's like the flow of our group, the culture of our

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group, he wanted someone that could be a good fit. So as he started to go through his hiring process, if we had any candidates for -- to make him aware of that.

Q. Okay. Did he tell you that you could not apply for the job?

A. He didn't bring up me applying for the job at all.

Q. Did he tell you that you could not apply for the job?

MS. GIBSON: Object to form.

A. No, he didn't directly tell me that.

Q. (BY MS. WILLIAMS) Did he indirectly tell you that you could not apply for the job?

A. He encouraged in the email for us to find someone to apply for the job.

Q. Okay. Did he ever say, "but I don't want any of you to apply for the job"?

A. No, he did not say that.

Q. When he initially notified you-all about, you know, finding someone for the job, were you interested in the job?

A. I, in several -- we call them one-on-one sessions, which is your meeting with your team leader or supervisor, that I was interested in a job grade 4 role and also a financial pay increase; and that if something

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was available, that I was definitely -- wanted to apply for that.

Q. These are in one-on-ones that you had with Michael?

A. Correct.

Q. Starting when?

A. I'm not sure when they started, but we have those once, probably twice a month. So once every other week. This dates back years now.

Q. So just so that I'm clear, since you've reported to Michael, you have had regular one-on-one meetings with him once or twice a month where you-all talk about what's going on, and then you're able to express interest that you have in --

A. Correct.

Q. -- other opportunities, right?

A. Correct.

Q. When did you start expressing to Michael that you were interested in other opportunities during these one-on-one meetings?

A. I would say as early as 2019, 2018, 2019.

Q. And what -- how regularly would you communicate this to him during the one-on-one meetings?

A. I can't say with any consistency how regular I did it, but I'm sure maybe three or four times out the

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1 year I would bring it up.

Q. Okay. Did you mention this to him in connection with specific positions or just a general desire to -- for another opportunity?

A. A mixture of both, general desire and also just something specific on my career, career development, something currently in our role that I could continue to grow. So broad and general.

Q. Okay. And my question was probably not well framed.

Were there specific job openings that caused you to inquire about -- you know, with him about, you know, promotion opportunities; or were you just having a general conversation about progressing in your career?

A. General conversation because he would bring up, hey, you know, what do you want to do with your career? That was pretty open across our entire group. He would tell us, "Hey, be thinking about, you know, your next step or your next move."

Q. Okay. And were there ever any occasions where there was a specific job opening where you went to Michael and said, "Hey, I want this opportunity. Can you support me in this opportunity?"

A. Yes, the -- the jet fuel job, when you apply for a role, your immediate supervisor will get email that

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1 you actually apply for a role.

Q. Okay.

A. So I wanted to have the conversation about that so it wouldn't be -- he wouldn't be caught off guard or he wouldn't think that I was -- you know, trying to leave the group, just, you know, out of the blue. I wanted to have a conversation about, again, this is what I want to do with my career, this is kind of the direction I'm looking in, and this is why I'm applying for the role.

Q. Okay. Did he support you in your application for the jet fuel position?

A. I'm not sure on his end what he had to do. He was -- we had the conversation. After that, I'm not sure what he did with the information.

Q. Did he say anything in your conversations with him that suggested to you that he was not supportive of your interest in the position?

A. No.

Q. What job -- and I'm sorry if I asked this. What was the job grade for the jet fuel?

A. I believe it was a 4.

Q. Okay. Other than the jet fuel job, did you ever have conversations with Michael Tickle about your desire for other opportunities in relation to a specific

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A. No.

Q. Okay. And then you said you found out after the fact that -- I guess you found out that Michael Deley actually got the JG 4 position that Kolkmann vacated in your group, right?

A. Correct. We were notified via email to congratulate Michael Deley on accepting a new role.

Q. Okay. And how did you respond to that?

A. I was -- I was really caught off guard because I had made several attempts to let Michael Tickle know that if something like that was available, that -- you know, let's have a conversation about it. And if he was the hiring manager and knew that I was looking and that that's something I wanted to do, we could have that conversation. And his response to me was "I wasn't sure why you didn't apply."

Q. So he seemed confused that -- about the fact that you didn't apply?

A. You can call it confusion if you -- I didn't call it confusion.

Q. What was it, what --

A. To me --

Q. -- do you call it?

A. -- I felt like it was betrayal.

A. Because if you know, based on several conversations we had, that that's exactly what I was looking for, that you would have spoken up that I could have actually applied for it, because -- excuse me -- because you were the person hiring for that role.

Q. Do you know if he had any conversations with Michael Deley where he spoke up to him and told him directly to apply for the position?

A. I don't know if they had direct conversations about it, no.

Q. Do you know if they had indirect conversations?

A. I'm not aware of any conversations they had.

Q. So you're -- you can't say that Michael Deley -- I'm sorry -- that Michael Tickle encouraged Michael Deley to apply for that role because you're not aware if that actually took place, right?

A. I'm not aware of that.

Q. And, in fact, Michael Deley may have just taken the initiative to apply on his own, right, as far as you know?

A. As far as I know.

Q. Did you communicate with Michael Tickle about feeling betrayed after you learned that Michael Deley got the position?

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A. My comment was "Had I known that that was an option, I would have definitely applied."

Q. And what did he say?

A. And that was his response, like, "Hey, I'm not sure why you didn't apply."

Q. Okay. Did you tell him specifically, "I think you betrayed me"?

A. No, I didn't tell him that specifically, no.

Q. Do you think that Michael Tickle was motivated by your race in connection with this position?

A. I think the entire discrimination from start to finish, that's just another portion of how my race played a role in it.

Q. Okay. But this particular role, the 2021 role that Michael -- I'm sorry -- that Ryan Kolkmann left, do you think that Michael's -- Michael Tickle's behavior towards you with respect to that role was because of your race?

A. Yes, I -- I believe that.

Q. Okay. And what makes you believe that?

A. Because there was, like I said, from start to finish, when I was hired at a lower job grade and the pay disparity began -- started at the beginning. This was another example of how that deception became clear. It was -- he had every opportunity to inform me, after

me questioning and asking on several occasions about this role, to disclose it; and he chose not to disclose it.

Q. But what about your race makes you think that he didn't disclose it to you, like -- as opposed to something else, for example?

MS. GIBSON: Object to form.

You said, "What about your race"?

Q. (BY MS. WILLIAMS) What about your race do you think was a part of his role, like why do you think your race factored into that decision, as opposed to, for example, what if he thought maybe you weren't a top performer. Is it possible he thought that and that could be a reason that motivated him not to encourage you to apply?

A. My reasoning is because, again, start to finish, Shell has shown that it's common practice to use race to make decisions on jobs.

Q. Okay. And I'm not talking about common practice at Shell. I'm saying specifically with respect to your relationship with Michael Tickle, what about -- what about the way that he managed the decision for the JG 5 role makes you think that your race was a part of the decision?

A. My understanding and my clear -- my understanding

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1 that Shell has a policy on how to treat African-American
 2 males when it comes to employment. So Michael Tickle is
 3 a part of that Shell umbrella who is a part of that
 4 policy, who is aware of how to treat African-American
 5 candidates for jobs.

6 Q. What is the Shell policy on how to treat
 7 African-American -- it's just African-American males?

8 A. Person of -- use the term "person of color"
 9 candidates historically struggle to succeed at Shell."
 10 That is the actual phrase that's been used on several
 11 occasions.

12 Q. Are you reading from something right now?

13 A. I'm just making sure I said it correctly.

14 Q. On your notes? I'm sorry. You were reading that
 15 from your notes?

16 A. That's exactly --

17 Q. Okay.

18 A. -- what was said, yes.

19 Q. Okay. But I asked you --

20 MS. WILLIAMS: I'm sorry. Can you go back
 21 to my question?

22 (Record read as requested.)

23 A. I believe that there is a Shell policy.

24 Q. (BY MS. WILLIAMS) About how to treat
 25 African-American male employees in particular?

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1 treated?

2 A. Correct.

3 Q. Okay. I want to go through --

4 A. Can I just finish that one real quick?

5 Q. Oh, sure.

6 A. I've been treated and others have been treated.

7 Q. Okay. Who are the others -- I don't want to know
 8 the specifics, I'll come back to that so the record is
 9 clear.

10 But who are the others that you are aware of who
 11 have been treated a certain way by Shell?

12 A. Shawn Matthews. Luis Lugo. Luis, L-U-I-S.

13 Q. And what is Shawn's race?

14 A. Black.

15 Q. And Shawn is a man?

16 A. Correct.

17 Q. And then Luis?

18 A. Dominican.

19 Q. Male?

20 A. Correct.

21 Q. Okay. So can you tell me -- let's see, let me
 22 get it right -- how you've been -- I want to know all
 23 the examples of the ways that you've been treated at
 24 Shell that lead you to believe that they have a policy
 25 related to African-American male employees. So let's

A. Correct.

Q. Okay. And what is that policy, is what I'm
 asking you?

A. I don't have a defined written policy, but I have
 examples after example of how I've been treated. And
 it's not just a rogue individual, it's not just Michael
 Tickle, it's not just Teri Olmen. It's a culture, it's
 a way.

Q. All right. Well, we're going to talk about all
 of those; but I want to know what is the policy, to your
 understanding, as -- that Shell has about how to treat
 African-American male employees?

A. I don't have an actual policy.

Q. But you said Shell has a policy, so I'm asking --

A. That's what I believe --

Q. I'm sorry, let me finish. You said Shell has a
 policy. So I'm asking you what is your understanding of
 what that policy is?

A. I said I believe that's Shell's policy.

Q. You believe it's the policy?

A. Correct.

Q. Okay. You're not saying that they actually have
 a policy?

A. I believe that's Shell's policy.

Q. And your belief is based on how you've been

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1 just -- we can go through them one by one.

2 A. We can start from the beginning.

3 Q. Yeah.

4 A. After I was made aware of the discrimination, we
 5 can go back into my original hiring process when Sri and
 6 Jennifer posted the role of a job grade 5 and explicitly
 7 stated to HR that they interviewed me as a job grade 5
 8 and wanted to hire me as a job grade 5.

9 Teri Olmen then, on two occasions -- and this is
 10 an email as well, stated to Sri that persons of color,
 11 black males, tend to historically struggle at Shell.

12 Sri then replied back and said she was extremely
 13 uncomfortable with now reducing my job grade to a job
 14 grade 6 strictly based on my race. Shell then returned
 15 and said, well, no, no, it's not that, that you have
 16 a -- you don't have a job grade 5 available now. So now
 17 you have a job grade 6.

18 But they also then asked for Sri to resend over
 19 my qualifications and really break down and review why I
 20 was qualified for a job grade 5.

21 Jennifer Hartnett then emailed my resume and then
 22 read under each qualification clearly stated why I was,
 23 in essence, over-qualified, more than qualified for this
 24 role at job grade 5; but also noted that a white male,
 25 Patrick Frnka, one month before I was going to be

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1 offered the original job, was hired on with zero
2 experience.

3 Q. Are you at a pause there?

4 A. I'm at a pause.

5 Q. Okay. When you say Teri Olmen stated --

6 MS. GIBSON: Wait. I'm sorry. Did -- so he
7 said he's at a pause.

8 Are you finished?

9 MS. WILLIAMS: Well, I --

10 MS. GIBSON: You asked a broad question. I
11 want to make sure that --

12 MS. WILLIAMS: Okay. Well, let me clear the
13 record up, Amy. Just settle down.

14 Q. (BY MS. WILLIAMS) With respect to the item that
15 you just identified, I want to ask a followup question
16 and then we can continue on with you identifying the
17 other things that you say you've experienced.

18 MS. GIBSON: So I'm -- I'm going to object.
19 It was a broad question. You asked him for everything
20 that --

21 MS. WILLIAMS: Just object, form, and we can
22 move on.

23 MS. GIBSON: Wait, wait. You asked for --
24 this is different. You asked a broad question and
25 you're interrupting his answer and going on side trails.

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What I wanted to know before we moved on to the next category or to whatever, you know, next description you're going to give, you said Teri Olmen stated in an email. Are you saying that you have seen a specific email where Teri Olmen said, specifically herself, that persons of color or African-American men don't do well at Shell?

A. No. I stated that Sri and Teri had conversations and Teri stated twice and Sri made email documentations about their conversations.

Q. Okay. I wanted to just clarify that. Okay.

So are you finished describing your first category, or are you still describing that?

A. I was just going into more detail about Teri's comment.

Q. Okay.

A. If that is actually what you believe, where is the data that supports that?

There was no data seen.

And why would you hire someone that's not going to be successful because that's not what Shell does. That's not what any major corporation does. They don't hire underperformers. They use -- you just don't hire underperformers.

Q. Right. Okay.

1 I'm asking --

2 MS. WILLIAMS: I can do whatever I want in
3 the deposition.

4 MS. GIBSON: I am asking --

5 MS. WILLIAMS: You can ask him to pause --

6 MS. GIBSON: I am ask --

7 MS. WILLIAMS: -- and I can ask a followup,
8 which is what I'm doing.

9 MS. GIBSON: No, he's -- no, if you ask a
10 broad question that calls for a long answer, he's
11 entitled --

12 MS. WILLIAMS: He will get --

13 MS. GIBSON: -- he has a right --

14 MS. WILLIAMS: -- an opportunity to
15 answer --

16 MS. GIBSON: No, he gets to do it now.

17 MS. WILLIAMS: No, he gets to do it as I
18 conduct the deposition, Amy.

19 MS. GIBSON: You don't get to cut him off.

20 Q. (BY MS. WILLIAMS) So here's what we're going to
21 do, Mr. Dedmon, I would like to ask a followup question
22 before we move on to the next item.

23 I'm not trying to cut you off or to prevent you
24 from giving your full answer. In fact, I am very
25 interested in your full answer.

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1 A. You got to give me a second here.

2 (Pause.)

3 So continuing on, when discussing or making a
4 decision to hire someone with zero experience and then
5 bringing up my qualifications and having no other
6 reason, other than not having a job grade 5 available,
7 that was very clear that it was discrimination based on
8 race.

9 Because I have an executive MBA in energy
10 finance, I was an ERCOT real-time trader, I worked for
11 two energy retailers doing 85, 90 percent of the roles
12 that this job was requiring. That in itself leads me to
13 believe that it's purely race discrimination when you
14 now have to reapply, now you have to resubmit your
15 qualifications, now they have to dig through my resume
16 and prove that I'm qualified.

17 Q. Okay. Is -- do you have any other examples of
18 ways in which you believe Shell has treated you
19 differently because you're an African-American male
20 employee?

21 A. The hiring of Mike Deley for the job grade 4 is
22 another example. My -- my --

23 Q. This is the one -- I'm sorry -- we just talked
24 about?

25 A. Correct.

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Q. Okay. I'm sorry. Go ahead.

A. Speaking on my experience with Shell to that point and then this happening as well, that's another form -- that's another example.

Q. Okay. And that happened when?

A. That was 2021. Late 2021.

Q. Okay. And then the hiring issue was obviously in 2014, correct?

A. Yes, I believe so.

Q. Between 2014 and 2021, has Shell done anything else that you believe suggests that they have a policy of treating you differently because you're an African-American man?

A. Shell -- once Sri filed a formal complaint on my behalf about the discrimination, Shell, from what I know and from what I clearly could tell, did not properly investigate. They told Sri the case is closed and to move on.

And if you're properly investigating discrimination, the first person that should have been contacted was the person who was discriminated against. I was not contacted. I was not informed. I had no idea that Shell was even doing an investigation, which leads me to believe that they did not care.

Moving forward to my formal complaint, it being

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Q. Okay. So here's what I have. I've asked for you to identify for me all the examples that you have as to Shell treating you differently because you're an African-American male employee. You've identified the hiring issue in 2014 and a lot of details around that. You've identified the hiring of Michael Deley for the JG 4 position in 2021, right?

A. Correct.

Q. And then you've just now also identified how Shell responded to your lawsuit against them as being another example, correct?

A. And the hiring of Patrick Frnka -- sorry to cut you off.

Q. No, no. I'm sorry.

A. The hiring of Patrick Frnka.

Q. Okay. I'm going to come to that.

So that was No. 3, how Shell responded to your lawsuit, correct?

A. Correct.

Q. And then so we're -- another example is of how they have treated you differently is the hiring of Patrick Frnka? How does --

A. Frnka.

Q. Okay.

A. F-R-N-K-A.

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I dismissed as meritless and then when you read the statements made about it being meritless, Shell did zero due diligence. They made a claim that I had several different jobs at Shell, had been hired for several different jobs. Had they did five minutes of due diligence, they would have realized that my job title just changed because of Shell structure, never actually changed. I went from power sales to mid-marketing to originator. Those names changed purely off reshaping, reorganization, and Shell structure.

And then they also made a claim that, well, these people don't work here anymore, we can't contact them, which also leads me to believe that you're -- you don't care. Because how hard is it for you to pick up the phone and call someone? I mean, it's 2024. LinkedIn is available with everybody's contact information on it. It's not hard to find people who were part of the investigation to clearly figure out what was going on.

Q. And when you're -- you're referring -- you say your formal complaint. This is when you filed your EEOC charge, you're referring to Shell's response to your EEOC charge?

A. And the lawsuit, yes.

Q. And the lawsuit. Okay.

A. Yes.

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Q. I know there are some missing vowels there.

A. Yeah.

Q. Okay. And how is that -- how is that an example of Shell treating you differently because you're an African-American male employee?

A. Patrick Frnka came from credit and scheduling with zero sales experience and came in as a job grade 5.

Q. When did he come in?

A. About a month before, I believe, my original offer, which I was never verbally offered or -- offered at all. It was based on communication with Sri that she was about to offer me that job. And that's when HR came back and decisions were made to change the job grade.

But she made it very clear that, wait, it can't be because of qualifications and experience because he has all the relevant experience and we're showing you why he has the relevant experience, combined with Teri's comment, it makes no sense, because you just hired Patrick Frnka with zero experience at the job grade that was posted.

Q. Okay. So that was the fourth thing. Any other example you have of how Shell has treated you differently because you're an African-American male employee?

A. We spoke about just the reporting, reporting side

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1 of it. They didn't do the right thing the first time,
 2 they didn't communicate with me. They didn't encourage
 3 me to -- what I now know is a 1-800 hotline. They
 4 didn't encourage RESOLVE. They didn't talk to me.

5 Q. When you -- you said the reporting side, what are
 6 you referring to? I'm sorry.

7 A. Just reporting of the actual filing of my
 8 complaint on Sri's behalf -- or Sri on my behalf.

9 Q. In 2014?

10 A. 2014 and now, both occurrences.

11 Q. What do you mean by "now"?

12 A. My --

13 Q. Since your lawsuit?

14 A. My lawsuit, versus Sri's original complaint.

15 Q. Okay. And so you're saying that Shell treated
 16 you differently as an African-American employee because,
 17 on the reporting side, they didn't do what? I'm just
 18 trying to -- I'm trying to understand. I wasn't
 19 following.

20 A. They didn't follow up. They didn't communicate.
 21 They -- they didn't encourage me to go do the -- what
 22 apparently is the proper steps when you have a
 23 discrimination claim. They just ignored it. And now
 24 we're here with a lawsuit.

25 Q. In 2014 you're talking about?

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1 A. Correct.

2 Q. When Sri told you about this -- and we'll go back
 3 and talk about the details of what she said -- did you
 4 report it internally to Shell?

5 A. Can I paint the full picture --

6 Q. Well --

7 A. -- please, the full answer --

8 Q. -- at some point you will be able to, but if you
 9 can answer my question. When Sri told you and shared
 10 this information with you about what transpired in 2014,
 11 did you report any of that internally to Shell?

12 A. No, because Sri had already reported it.

13 Q. Okay. That's fine. But you did not make your --
 14 a report when you learned this information, correct?

15 A. Not initially, no.

16 Q. Okay. In fact, you instead filed a charge with
 17 the EEOC?

18 A. Not right after. It took time before that was
 19 developed, yes.

20 Q. But I mean that was your first --

21 A. That was my first step, yes.

22 Q. Yes. Were you aware that you could have reported
 23 it internally to Shell?

24 A. I wasn't a hundred percent aware, nor was I
 25 confident even if I had the awareness to even go that

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1 A. They ignored it in 2014.

2 Q. Okay.

3 A. And then they're ignoring it now -- or they
 4 ignored it up until this point.

5 Q. Okay. And so in 2014, it's your claim that they
 6 ignored it by not following up and communicating with
 7 you after Sri Rangan made her report. Am I getting that
 8 right?

9 A. Correct.

10 Q. Okay. And then you're also saying that after you
 11 filed the lawsuit, they additionally treated you
 12 differently because they didn't follow up with you after
 13 the lawsuit?

14 A. Correct.

15 Q. Okay. When Sri Rangan -- we haven't -- when Sri
 16 Rangan -- well, you learned about the hiring issues from
 17 Sri Rangan, correct?

18 A. Correct.

19 Q. And, I'm sorry, I -- I was saying Sri -- I don't
 20 know if you were saying "Cherie" --

21 A. Sri.

22 Q. Sri, okay. We're saying the same thing?

23 A. Yes, one syllable, Sri.

24 Q. Okay, Sri. You learned about that from Sri
 25 Rangan, correct?

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1 route.

2 Q. Okay. Well, I didn't ask about your confidence.
 3 I'm asking are you aware that Shell has internal
 4 reporting processes where you could have reported it
 5 internally?

6 A. Now I'm aware, yes.

7 Q. You didn't know it in 2020?

8 A. I wasn't aware of the processes.

9 Q. In 2020 you were not aware of the processes?

10 A. I wasn't aware of the processes.

11 Q. Okay. So let's talk about the conversation that
 12 you had with Sri Rangan in 2020. Tell me how that came
 13 about.

14 A. There was a Shell -- an SBNG town hall about the
 15 state of what was going on. It was pivoting towards the
 16 George Floyd murder and just the energy and the, you
 17 know, the makeup of what was going on in our country.
 18 And we were given a forum just to speak freely about how
 19 you felt. All the employees were allowed to listen,
 20 several folks spoke. Sri actually listened in and she
 21 could clearly see on the list of folks who were
 22 listening in that I was on there.

23 And closer to the end of the call, she instant
 24 messaged me and said, "Hey, Bobby, can I talk to you?"
 25 And I didn't think anything of it at that point, because

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I was just still pretty emotional about all the conversations we were having, to think that she had something of that magnitude to tell me.

Got off that call and I called her and before she can get her first -- I would say five or ten words out, she was crying. She was sobbing to where she really couldn't talk to me. So we had to pause for a little bit.

Then she started to tell me in chronological order what happened in 2014. And one of the things that really was damning -- excuse my language -- was that she filed a complaint and nothing came of it.

She talked about me being offered -- or she was in the process of submitting an offer for a job grade 5 for me. She talked about what Teri Olmen said on several occasions. She talked about her complaint she filed. She talked about having to reprove that I was a qualified candidate based on all my skill sets and relevant experience. And she apologized for not telling me what was going on then.

Q. Okay. And then what did you tell her?

A. I was really numb, honestly. I was numb to a lot of it initially and it had to settle. But I did definitely tell her I fully appreciated her telling me regardless of how long it took, and that I needed some

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A. I would say the first couple weeks.

Q. And did you have these phone -- were they phone calls or did you have --

A. Phone calls.

Q. -- in-person meetings?

A. Phone calls.

Q. Did anybody else participate in those phone calls?

A. No.

Q. And so it's a couple of weeks that go by where the two of you are talking and you're processing this information that she shared with you. What happened -- what do you -- what did you do next?

A. I sat on it and did a lot of soul searching on what my next step was going to be. I tried to figure out, you know, what is your next move? What do you do? Do you just keep moving and, you know, take that information but do nothing with it; or do you stand up and really fight against very overt, very obvious racial discrimination. Had long, hard... (sniffling).

Excuse me.

MS. GIBSON: Y'all keep going. I'm going to get Kleenex. Okay?

THE WITNESS: I have some. I'm good. I'm good.

time. Because it was a lot to -- to consume in a short period of time. In one conversation it was a lot to consume, because triggers started happening and you start thinking back to hiring process all the way through to that day you were working and what -- what's been shaped, what's been -- what's been changed, what's been missed, all the discrimination through that entire process, like it was a lot to absorb in one conversation. So.

Q. You mentioned that it was an SBNG?

A. It's called Shell Black Networking Group.

Q. Okay. I just wanted to make sure I got that for the record.

Okay. So after the conversation with Sri Rangan, did you talk to her again about this?

A. We talked several times, just so I could really dissolve and digest the magnitude, just so I got my facts correct, just so I fully understood what she was saying. Because I didn't want to believe it. I -- I just didn't want to believe it. So I had to continue to reconfirm with her. Like how did this happen? How did it happen? Why wasn't I pulled into it? I just had a ton of questions of why. And we talked I would say pretty often in the beginning when she told me.

Q. What do you mean, what's "in the beginning"?

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MS. GIBSON: Are you good? Okay.

A. I had long hard conversations with my wife, with my dad about this. What am I supposed to do, assessing the magnitude financially, emotionally, what my trajectory could have been over the last eight years. Do I show my daughters this is what it looks like, this is how you defend yourself, this is how you stand up?

Do you -- do you fall on a sword and commit career suicide? Because, you know, once you do this, the next step is you're out. You worked so hard to get to the Shells of the world and now it's going to all crumble. Did a lot of soul searching, just going how do I -- how do I figure this out?

Q. (BY MS. WILLIAMS) And eventually you reached a decision to pursue a claim against Shell?

A. Yes.

Q. Okay. Did Sri Rangan encourage you to pursue a claim against Shell?

A. She supported me.

Q. In what way did she support you?

A. She said she would stand with me as far as I wanted to take this, because she felt like nothing was done and she pushed as far as she could push; and that if I decided to push even further, that she would stand side by side with me.

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Q. When was the last time you spoke to Sri Rangan?

A. Around the holidays.

Q. Since you filed the lawsuit, have you spoke to Sri Rangan about the lawsuit?

A. Yes.

Q. And what have you-all -- excuse me, what have you discussed about the lawsuit?

A. Just the details of it and her continued support for what I'm doing.

Q. How has she supported you in the lawsuit?

A. By being open about her experience. And --

Q. What experience, I'm sorry?

A. Her experience of the -- from when she tried to hire me at a job grade 5 --

Q. Okay.

A. -- her -- her complaint to Shell.

Q. Okay. Anything else?

A. That we spoke about?

Q. Uh-huh, related to the lawsuit.

A. Just if I needed her to support me through trial that she would definitely do that.

Q. Okay. Has she put you in touch with any other individuals that she thinks might support you in your lawsuit?

A. No.

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Q. Okay. What was your salary in 2023?

A. '23, it was 2-1/2 percent less. It's been like a 2, 2-1/2 percent increase as average year over year maybe. It wasn't substantially lower. It was probably 146, 148, maybe.

Q. Okay.

A. I'm not sure what that percentage is, but.

Q. Since 2014 have you consistently gotten a salary increase since you've been with Shell?

A. There may have been a year where there wasn't an increase, but yes, it has increased since 2014.

Q. Can you recall a specific year where you did not get a salary increase?

A. I can't recall the actual year, no.

Q. And what about your bonus, did you -- and I guess I want to make sure I understand sort of the timing. Did you recently get a bonus?

A. Yes. Everyone gets bonuses in March.

Q. Okay. In March is the bonus for your performance for the prior year?

A. For '23, correct.

Q. Okay. So I'm going to refer to that as your 2023 bonus, even though you got it in 2024.

A. That's correct.

Q. Your 2023 bonus, what was it?

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Q. Have you asked her to identify any individuals

that she thinks might support you --

A. No.

Q. -- in your lawsuit?

Since you've started at Shell, I think you said you started in 2014 at a hundred thousand dollar compensation; is that right?

A. Yes, that's about right, yes.

Q. And then in 2015, with the promotion, your compensation went up to 114,000?

A. Yes.

Q. What's your compensation currently?

A. It's right at 150,000.

Q. Fifty or fifteen?

A. One hundred and fifty.

Q. Okay. And is that your -- did you recently go through an evaluation process earlier this year or late last year?

A. We have annual performance meetings with our boss, yes.

Q. So the 150,000 salary, is that your current 2024 salary?

A. Yes.

Q. Okay.

A. That's currently what I'm getting paid.

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A. It was gross 74,000.

Q. Do you -- did you get a bonus for the 2022 performance year?

A. It was gross about 55, I believe, 55, 60.

Q. And then do you recall what your bonus for the performance year 2021 was?

A. I don't. I would have to go back and look.

Q. Do you recall actually getting a bonus in 2021?

A. I believe we did --

Q. For the 2021 performance year? I'm sorry.

A. I believe we did, correct, yes.

Q. Has there been a year since you started in 2014 that you did not get a bonus at Shell?

A. I don't believe there's been a year. I mean it fluctuates, definitely, based on -- I mean, percentages fluctuate, but I believe that every year I've been able to receive a bonus.

Q. Okay. Do you know whether all of your colleagues -- and I understand that that changed, like the desk changed, right, from time to time. But your colleagues, do you know if they all received bonuses generally since the time that you've been working at Shell?

A. Yes.

Q. Do you know if they've received salary increases

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A. No.

Q. (BY MS. WILLIAMS) And for your 2023 performance review year, do you have any concerns about his review of your performance for that year?

A. No.

Q. Did he say anything to you during his review of your performance for 2023 that you think was not reflective of your actual performance for that year?

A. No.

Q. Has anyone at Shell made any derogatory comments to you about your race?

A. No.

Q. Has anyone at Shell made any derogatory comments to you about your color?

A. No.

Q. And so I'm going to ask -- it's going to be slightly different from what I just asked but may sound the same. Are you aware of any comments that anyone has -- derogatory comments that anyone has made about your race, even if it wasn't directly to you?

A. Yes.

Q. Okay. And what was that?

A. When Teri Olmen made the comment about persons of color historically struggling to succeed at Shell.

Q. Okay. Anything else other than that?

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A. That's correct.

Q. Okay. During any of your performance reviews with Michael Tickle, did you ever raise any concerns about your compensation?

MS. GIBSON: Object to form.

A. I can't pinpoint which ones or at what time, but I always brought up compensation being part of my motivation. I just felt like being transparent when it comes to that was okay. Some folks don't like talking about money, but I felt like I can talk about what my worth and being compensated for it.

Q. (BY MS. WILLIAMS) You felt like you had the ability to express your desire to make more money with Michael if you -- if you wanted to?

A. Correct.

Q. And you did in fact do that?

A. Correct.

Q. Did you actually complain to him about the amount of money you were making?

A. I did not complain, no.

Q. And the same thing with Patty Smith. Did you ever complain about the amount of money you were making, with Patty Smith?

A. I did not complain, no.

Q. Did you talk to her about compensation the way

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A. No.

Q. And has -- same question related to color. Are you aware of any derogatory comments that anyone at Shell has made about your color?

A. Yes, same, same response as Teri Olmen, "person of color."

Q. Other than that, anything else?

A. No.

Q. Do you believe that there is a specific person at Shell who is making decisions about your compensation based on your race?

MS. GIBSON: Object to form.

A. I think that Shell is complicit in not -- by not following up, investigating, doing their due diligence when claims are made about racial discrimination.

Q. (BY MS. WILLIAMS) Anyone in particular that you hold responsible for that; or is that something that you believe is attributable to the organization at large?

A. I think it's attributable to the organization, and Teri Olmen was just the person that had her day with me.

Q. Did you ever interact with Teri Olmen?

A. No. I could not point her out in a lineup.

Q. If she walked in here, you wouldn't know who she was, right?

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1 you talked to Michael Tickle about compensation?

2 A. She was only there for a shorter period. I 3 discussed it with her, but not in detail that I would 4 have with Michael.

5 Q. Okay.

6 A. She was not our boss for a very long time so it 7 was a -- she came in and left pretty quickly. So.

8 Q. Did you ever discuss concerns or complaints you 9 had about your job grade with Patty Smith?

10 A. I discussed wanting a job grade increase and just 11 asking how that works and how -- how can we possibly 12 make that happen. Like steps I need to take to do that.

13 Q. Did you actually complain about the job grade 14 that you have with her; or did you just express to her 15 your desire to move on to another job grade?

16 A. Expressed my desire to.

17 Q. Okay. And then Jennifer Hartnett, did you ever 18 complain about the compensation you were making with 19 Jennifer Hartnett?

20 A. No.

21 Q. Did you ever complain about your job grade with 22 Jennifer Hartnett?

23 A. No.

24 Q. When you spoke to Michael Tickle about your 25 desire to make more money, what was his response?

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1 want it.

2 MR. WILEY: Thank you.

3 MS. WILLIAMS: You're welcome.

4 Q. (BY MS. WILLIAMS) Do you recognize this document
5 that I've marked as Exhibit 1?

6 MS. WILLIAMS: And for folks on the phone,
7 it's ShellDedmon_65 through 67.

8 A. Yes.

9 Q. (BY MS. WILLIAMS) What is that document?

10 A. It's the EEOC file. Complaint. I'm not sure the
11 exact word you use for it.

12 Q. Okay. And it's -- it has three pages, right?

13 A. Yes.

14 Q. Not full, but -- yeah. Did you prepare the text
15 that is reflected in the box that says The Particulars
16 Are on the first page of Exhibit 1, going onto the last
17 page of Exhibit 1?

18 A. Where is that again?

19 Q. So there's a -- the box at the very bottom of the
20 first page of Exhibit 1, it says The Particulars Are,
21 and it starts: I believe Shell Exploration & Production
22 Company.

23 Do you see that?

24 A. Right. Did I write those words myself is what
25 you're asking?

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1 sentence. It says: Shell posts a job in Houston, Texas
2 at grade 5 and later offers this job at grade 5 to
3 someone who is not a black male.

4 Did I read that correctly?

5 MS. GIBSON: Where are you? You said third
6 sentence?

7 MS. WILLIAMS: It's -- I think it's the
8 third sentence of the second paragraph, but maybe it's
9 not. It just -- I mean I read how it started. So Shell
10 posts a job in Houston.

11 MS. GIBSON: I see. I see. Okay, sorry.

12 Q. (BY MS. WILLIAMS) Do you see that sentence that
13 I just read?

14 A. Here is the story of what happened... Yes, I see
15 that there.

16 Q. Okay. And what information do you have that
17 indicated to you that Shell offered the position to
18 someone who was not a black male?

19 A. I believe that was a discussion Sri and I had.

20 Q. Okay. Sri told you that it was someone who was
21 not a black male?

22 A. I believe that was the discussion that Sri and I
23 had.

24 Q. Okay. You did not -- do you have any firsthand
25 knowledge that the job was offered to someone who was

1 Q. Did you prepare the information that's in this

2 box which carries over onto the third page of the
3 exhibit?

4 MS. GIBSON: Object to form.

5 A. I can't remember if those are my exact words,
6 but -- I'm not sure what you mean by -- did I write that
7 in or type that in?

8 Q. (BY MS. WILLIAMS) Yeah. Did you -- did you
9 write it, yourself?

10 A. Honestly, I'm not a hundred percent sure.

11 Q. Okay. Do you recall reviewing this before it was
12 filed with the EEOC?

13 A. Yes, because I had to sign it.

14 Q. And you understood when you were signing it you
15 were signing it under oath?

16 A. Yes.

17 Q. Okay. I just want to ask you a few questions
18 about -- about some of the information that you've
19 included here. I want to go onto page -- the second
20 page of Exhibit 1. And it is the second paragraph on
21 that page. It starts: Here is the story of what
22 happened.

23 Do you see that?

24 A. Yes.

25 Q. I think it's the third -- excuse me, the third

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1 not a black male?

2 A. Now we have concrete knowledge that it was,
3 but --

4 Q. That it was what?

5 A. It was offered to I believe a white female, that
6 declined it.

7 Q. Where -- where do you get that information?

8 A. From the documents that was provided -- that were
9 provided to us by Shell.

10 Q. What document did you see that said it was a
11 white female?

12 MS. GIBSON: Object to form.

13 A. It was a ton of emails that we went through that
14 Shell provided. I don't know exactly what document
15 number.

16 Q. (BY MS. WILLIAMS) So there was a document that
17 you recall seeing in the context of this lawsuit that
18 says the position was offered to --

19 A. Yes.

20 Q. -- a white female?

21 A. There's a -- sorry. There's a female name
22 associated with the job that was offered. I believe
23 that's what's in the email, the communications that I
24 saw.

25 Q. And does it indicate it was a white female?

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1 A. I'm not for certain. I can go back and look, but
 2 I'm not a hundred percent certain.

3 Q. And what's the name, do you recall?

4 A. I don't recall the name.

5 Q. Okay. But you recall seeing an email where a
 6 female's name was associated with being the person who
 7 was offered the job grade 5 position?

8 A. I believe so, yes.

9 Q. Okay. And then that person declines the offer.
 10 Where did you get the information that that person
 11 declined the offer?

12 A. Conversations with Sri.

13 Q. Okay. You don't have firsthand knowledge about
 14 what that person did or did not do with respect to an
 15 offer?

16 A. No.

17 Q. Okay.

18 And then you also indicated that job grade 6 pays
 19 less than job grade 5, which pays less than job grade
 20 4 -- I'm sorry, in the following paragraph. The
 21 paragraph that starts: Shell -- Shell then decides to
 22 offer the job to me.

23 Do you see that, still on page 2?

24 A. Yeah.

25 Q. The last sentence says: So job grade 6 pays less

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1 A. By this time I did know that.

2 Q. Okay. Okay. I think that's all I have for that
 3 one. At least for now.

4 Before -- before you experienced the panic attack
 5 that you described experiencing in the fall of 2022, had
 6 you ever experienced anything like that before? In
 7 connection with your work at Shell?

8 A. No.

9 Q. Had you ever experienced anything like that
 10 before outside of your work at Shell?

11 A. Nothing of that magnitude, no. I -- I say I've
 12 been nervous, a high level of nervousness before, but
 13 nothing that made me feel sick.

14 Q. Did you -- had you had panic attacks before that
 15 incident?

16 A. No.

17 Q. In your work at Shell, have you ever been
 18 demoted?

19 A. No.

20 Q. Have you ever been disciplined for anything
 21 during your employment at Shell?

22 A. No.

23 Q. No counseling or writeups about your performance?

24 A. Not that I'm aware of, no.

25 Q. Do you participate in -- in training at Shell

1 than job grade 5, which pays less than job grade 4,
 2 which pays less than job grade 3, and so on.

3 What information did you base it on that a job
 4 grade 6 pays less than a job grade 5 and so on?

5 A. Just common knowledge, after working at Shell,
 6 that's how it works.

7 Q. So it's your understanding that if you are a job
 8 grade 6 that you will automatically be making less money
 9 than someone who is a job grade 5?

10 A. There are scales to where -- I believe it's like
 11 80 to 120 percent, so there are -- I wouldn't say where
 12 there are cases to where a 6, a high or low, however you
 13 want to say it, 6 could be -- base salary could be more
 14 than a 5.

15 Q. It's your understanding that based on Shell's
 16 compensation scales that somebody with a lower job grade
 17 could actually be making more than somebody with a
 18 higher job grade; is that right?

19 A. That's a -- that's a possibility.

20 Q. Okay. And you were aware of that when you
 21 started at Shell?

22 A. I became aware of that as I was employed by
 23 Shell.

24 Q. Okay. But before you filed the claim against
 25 Shell, you became aware of that?

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1 related to your specific job functions?

2 A. Shell has training that everyone has to take,
 3 regulatory trainings -- what do you call them, like
 4 security type trainings because, you know, you deal with
 5 a lot of different companies, deal with companies
 6 globally, you want to make sure that -- I'm trying to
 7 find the right word -- it's just more antitrust type
 8 trainings within Shell that everybody is assigned
 9 throughout the year.

10 Q. When you say everybody, are you talking about
 11 your group specifically or employees generally?

12 A. All of Shell.

13 Q. Okay. Are there specific -- is there any
 14 specific training that you have to participate in
 15 related to your job as an originator or in power sales?

16 A. No training; but we do go to conferences to where
 17 there are speakers who may be educating you on something
 18 new.

19 Q. Okay.

20 A. I personally consider that training, but that's
 21 not official training. That's a conference where you're
 22 actually learning material that could help you in your
 23 current job.

24 Q. Do you participate in those conferences from time
 25 to time?

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1 apply for the vacant team position that left the team
 2 short one person.

3 What is the basis of your knowledge that there
 4 were private communications that weren't disclosed to
 5 you that took place with the only white employee on the
 6 team who's not -- I mean who was at a job grade 5?

7 MS. GIBSON: Object to form.

8 A. After having a brief conversation with Michael
 9 Deley, he made it very clear that he and Michael Tickle
 10 talked about him applying for that role. So there was
 11 discussions that were had that were not -- clearly I
 12 wasn't privy to, but discussions that contradict the
 13 email that Tickle sent out.

14 Q. (BY MS. WILLIAMS) So when did you talk to
 15 Michael Deley about this?

16 A. I believe after he was hired.

17 Q. After he applied for and was selected for the job
 18 grade 4 role?

19 A. Correct. Correct.

20 Q. And did you -- how did the conversation come up
 21 about the job grade 4 role?

22 A. Oh, I just flat out asked him, you know, what
 23 made you apply for it, how is that process for you, just
 24 conversation about what made him do it.

25 Q. And what did he tell you what made him apply for

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1 not a conference call, but I believe I was at home. He
 2 might have been at the office, he could have been at
 3 home, I'm not sure where he was; but you can dial in
 4 from your IM and call somebody from IM.

5 Q. Was this a meeting that you scheduled
 6 specifically to talk to him about this or was it
 7 something else?

8 A. I just called and asked him about it. It wasn't
 9 anything formal.

10 Q. Okay. So you took the time and called Michael to
 11 ask him, "Hey, what made you apply for this job"?

12 A. Right.

13 Q. And he shared with you that he had a conversation
 14 with Michael Tickle and ended up applying?

15 A. Correct.

16 Q. Did he tell you anything about the application
 17 process?

18 A. Not that I can remember, no.

19 Q. Okay. Did he indicate to you whether he
 20 interviewed or didn't interview for the job?

21 A. I don't remember if he said he actually
 22 interviewed. I'm assuming that he did because every
 23 process, when it comes to jobs, you have to interview.
 24 Like that's part of it.

25 Q. Okay. Did he tell you whether or not there were

1 the job?

2 A. I don't remember verbatim; but he did say he had
 3 a conversation with Tickle about actually applying for
 4 it before he did.

5 Q. Did he tell you he went to Tickle or Tickle came
 6 to him?

7 A. He didn't tell me any direction.

8 Q. And so you don't know whether he took the
 9 initiative to go to Tickle or if Tickle actually reached
 10 out to him about applying, you don't know one way or the
 11 other?

12 A. Correct.

13 Q. Okay. And so he had a conversation with Tickle
 14 about applying, and then what else did he tell you?

15 A. That he applied for it and subsequently got it.
 16 I'm not sure if he was a hundred percent comfortable
 17 even discussing that with me, but.

18 Q. Did he say something where -- to indicate that he
 19 wasn't comfortable?

20 A. No. It wasn't a long conversation, I mean.

21 Q. Were you guys -- did you discuss this in person
 22 at the office?

23 A. I think we were on, what was it, Skype back then
 24 or whatever the communication we were using at that
 25 point. It was a call. Like a conversation over a --

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1 other candidates who were also being considered for the
 2 position?

3 A. Not that I'm aware of.

4 Q. You're not aware of him telling you that?

5 A. Yeah, I'm not sure if he knew or not.

6 Q. Okay. And I think you testified earlier you're
 7 not aware if there were other candidates who applied for
 8 the job?

9 A. No, not aware.

10 Q. And so you also wouldn't know if those people
 11 were internal to Shell, external to Shell, or where they
 12 came from?

13 A. I wouldn't know.

14 Q. And then you -- you also state that the Shell
 15 defendants ultimately give that existing team member
 16 permission to apply for the vacant position that left
 17 the team short one person.

18 You're referring to Michael Deley getting
 19 permission to apply for the position?

20 A. Correct.

21 Q. What did Michael Deley tell you that led you to
 22 believe he needed permission to apply for the position?

23 A. Based on the encouragement in the email that we
 24 got that we're looking for somebody else. So I'm
 25 assuming at that point someone said, okay, it's okay for

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1 you to apply for that position. We're not actually
 2 looking for somebody else to come into our group, we're
 3 going to transition somebody at this point. So the
 4 communication in the email was explicitly stating
 5 finding a body to replace Ryan Kolkmann and all of his
 6 job duties that came with it.

7 Q. Uh-huh.

8 A. So at that point, if I had applied for it, I
 9 definitely would have to receive guidance on, okay, go
 10 ahead and apply for it.

11 Q. But Michael Deley told you that he was actually
 12 given permission, or is that your interpretation, is I'm
 13 trying to understand?

14 A. He had a conversation with Tickle about applying
 15 for the role.

16 Q. And did he tell you "I got permission from
 17 Michael Tickle to apply for this job"?

18 A. I'm assuming after that conversation there was
 19 access granted saying go ahead and apply.

20 Q. Did he tell you, "I got permission to apply for
 21 the job"?

22 A. He didn't use those words.

23 Q. Okay. So these are your words describing what he
 24 was telling to you and your understanding of that?

25 A. Correct.

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1 A. You don't have to apply for a job to be
 2 considered, in my opinion. There are plenty of jobs
 3 that people are told about or get or are considered
 4 candidates before they actually apply. You can --
 5 several up -- looking on LinkedIn, this person hasn't
 6 applied for a job, but look at their skill set. I may
 7 consider them a candidate for the job and they haven't
 8 necessarily applied for it.

9 Q. But then they apply and then they're considered,
 10 right?

11 A. At some point, yes, they would have to apply for
 12 a --

13 Q. Okay.

14 A. -- final separation to be made -- decision be
 15 made.

16 Q. Okay. So when you say if a job grade -- if a job
 17 grade increase with no new hire could fill the empty
 18 team spot then the Shell defendants should have
 19 considered Robert, are you saying that they should have
 20 given you the job without an application?

21 MS. GIBSON: Object to form.

22 A. I should have been made explicitly aware of the
 23 process and that they would actually consider one of us
 24 in the current group to apply for it.

25 Q. (BY MS. WILLIAMS) Okay. But you didn't make any

1 to apply for the job?

2 A. No.

3 Q. Do you know whether you needed permission to
 4 actually apply for the job?

5 A. No.

6 Q. Okay. And then later you say if a job --

7 MS. GIBSON: Object to form.

8 Q. (BY MS. WILLIAMS) In your complaint, if a job
 9 grade increase with no new hire could, quote, fill the
 10 empty team spot, then the Shell defendants should have
 11 considered Robert.

12 What do you mean by that?

13 A. My job qualifications, my skill set at that point
 14 definitely fit a job grade 4 role. So I should have
 15 been considered for it. If it was going to be we're
 16 going to move somebody into this spot versus outsourcing
 17 from internal Shell or external Shell, if the decision
 18 was made, okay, who currently is a 5 who do we promote
 19 into 4, I feel like I should have been that candidate.

20 Q. But you didn't apply for the job, right?

21 MS. GIBSON: Object to form.

22 A. Correct.

23 Q. (BY MS. WILLIAMS) How would you have been
 24 considered for the job without you applying for the job?

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1 inquiries about that, correct?

2 A. After we received the email, no, I was actually
 3 looking for someone else.

4 Q. Okay.

5 A. As we were kind of, you know, asked to do.

6 Q. Did you ever recommend anyone else?

7 A. No.

8 Q. Did you -- have you ever referred any individuals
 9 to apply for jobs at Shell?

10 A. I haven't been on record, because Shell does have
 11 a referral program, but I've had people reach out and
 12 ask me about jobs. I'm not sure if they subsequently
 13 applied or not.

14 But the latest person who I did talk to about a
 15 job was a guy by the name of Robert Bynoe, who is now a
 16 member of Shell. We talked maybe once or twice about
 17 something he was applying for at Shell. So I've talked
 18 to people about roles at Shell before.

19 Q. Are they roles in different groups or in your
 20 group or?

21 A. This role was in the power settlements group. So
 22 settlements confirmation type stuff, team.

23 Q. Did you encourage him to apply for a position at
 24 Shell?

25 A. I don't think I gave him any thumbs up, thumbs

down. He was just asking questions about the actual role and what I knew about it. Did I know members of the team. Or I think Robert explicitly asked me about somebody he was interviewing with, did I know them.

Q. What is Robert's race?

A. Robert is black. He's from somewhere in the Caribbean, I believe.

Q. Okay. Have you, other than Robert Bynoe, have you spoken to anyone else about applying -- about them applying for positions at Shell?

A. Not that I can recall.

Q. Would you encourage individuals to apply for jobs at Shell?

A. Knowing what I know now, no.

Q. Okay. When did you have the conversation with Robert Bynoe?

A. That was recent. And that's why I didn't encourage or discourage him.

Q. Okay.

A. I'm not trying to take food off anybody else's table. If that's what he wants to do, if it fits his financials, considering what he wants, by all means.

Q. You mentioned in passing that you are on blood pressure medication or that you currently are on blood pressure medication. Are you on any other medication

today other than your blood pressure medication?

A. I --

MS. GIBSON: Whoa, whoa. Are you done with the question?

Q. (BY MS. WILLIAMS) That might affect your ability to -- your ability to recall information or to provide truthful testimony?

A. No.

Q. Do you hold any license, professional licenses or certificates in connection with the work that you do?

A. No.

Q. Are you a member of any professional organizations?

MS. GIBSON: Object. Object to form.

Were you done? Were you done?

MS. WILLIAMS: I was done.

MS. GIBSON: Okay.

A. Regarding, like, my work at Shell?

Q. (BY MS. WILLIAMS) Yes.

A. Nothing explicitly for me. I think as a group we're a part of certain organizations but just under the Shell umbrella. We're part of like the GCPA, that's a common -- Gulf Coast Power Association. We all have access to be members of that.

Q. Okay. Did you ever serve in the military?

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A. No.

Q. Are you a member of any fraternities?

A. Yes.

Q. What -- more than one or one?

A. Just one.

Q. Okay. What fraternity?

A. Can't be two.

Q. Well, there are different kinds of fraternities. But what fraternity are you a member of?

A. Kappa Alpha Psi.

Q. Okay. I don't know that we discussed this specifically and I apologize if I'm repeating it. What is Michael Tickle's race?

A. White.

Q. Patrick Frnka's race?

A. White.

Q. Susan's race?

A. White.

Q. Doug --

A. White.

Q. -- Hund.

(Pause.)

A. Michael Deley?

Q. Thank you.

A. White.

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Q. Michael Deley's race is white?

A. Yes.

Q. And then you mentioned Chris Riley? I'm sorry.

A. White.

Q. Jennifer Hartnett?

A. White.

Q. You mentioned -- have we -- have I identified or we identified all of your colleagues currently?

A. Not the two new -- Jim Barker is white.

Q. Okay.

A. He's been employed at Shell for a while. Thomas Jones is white.

Q. Okay.

A. Ken Ueng is Asian.

Q. How do you spell Ken's last name, if you know?

A. U-E-N-G.

Q. Okay. Does that cover all your colleagues currently?

A. Yeah.

Q. Okay. Have any -- we talked about Shawn Matthews and I -- and I -- we talked about Luis Lugo as well. Have any -- apart from those individuals, have any African-American employees or colleagues at Shell shared with you any complaints they have about their experiences at Shell?

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1 story. But so are you saying that part of the reason
 2 you're standing up to Shell is your dad felt like he
 3 couldn't back then without risking your life?

4 A. And I don't want my daughters to ever have the
 5 feeling that I had about -- I don't ever want them to
 6 feel like I'm not their Superman. I don't want to feel
 7 like Clark Kent.

8 Q. And you also had talked about another reason why,
 9 as far as speaking up for other people: The community.

10 A. After talking to Shawn and Luis, and those guys
 11 made way more money than I did and they still didn't
 12 push the envelope for change. And I'm assuming they
 13 struggle with not making that decision to push forward.
 14 But for those guys, for guys that come after me, for
 15 people who are sitting right now with their employer
 16 dealing with something that they're scared to speak up
 17 about because now you got to deal with if I lose my job,
 18 what happens to my family?

19 I'm the breadwinner in my family. Will I get
 20 blacklisted? The energy industry is small, so the
 21 second something comes out about me suing Shell, no one
 22 is going to touch me. Falling on the sword for all the
 23 folks who didn't stand up for themselves, I'm -- that's
 24 who I'm doing it for. Hey, this should not happen to
 25 anybody again and I'm going to make sure it doesn't.

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1 you remember that -- on your team?

2 A. Yes.

3 Q. Are you trying to take money away from them?

4 A. Not at all.

5 Q. Okay.

6 A. I like them. I like them. Like, that's the --
 7 it adds to why. I don't have a problem with them.

8 Q. Right.

9 A. Like, no problem at all.

10 Q. Right. You were just saying given how good you
 11 are, there is no reason you should be so significantly
 12 underpaid?

13 A. Correct.

14 Q. And the only -- once you eliminate the other
 15 reasons, the only reason is race --

16 MS. WILLIAMS: Object --

17 Q. (BY MS. GIBSON) -- that Shell is doing this?

18 MS. WILLIAMS: Objection, form.

19 A. Correct.

20 Q. (BY MS. GIBSON) Okay. Now, I know you talked
 21 about, like, they can have the money, I know the
 22 betrayal is the hardest part, but does Shell need to pay
 23 a hundred percent for what it did --

24 A. Yes.

25 Q. -- to help deter this in the future? Okay.

1 Q. And staying at Shell and then investing in some
 2 newer businesses, do you have a family to take care of?

3 A. Yeah.

4 Q. All right.

5 A. Got college tuition around the corner.

6 Q. Two girls, two dogs.

7 A. Correct, yes.

8 Q. And the social worker wife, Brooke?

9 A. Yes.

10 Q. Who probably thinks you need more treatment.

11 A. Yes.

12 Q. Is she the one?

13 A. Yes.

14 Q. Okay. You know, talking about when Ms. Williams
 15 was asking -- I'm sorry, I'm sorry. Take your time.

16 A. (Crying.) I should be enjoying life right now, I
 17 should be enjoying my daughters. But I stay up a lot,
 18 talking to my best friend, my wife. And she's pushing
 19 me, hey, your mental health is the most important thing,
 20 you have to take care of it.

21 (Pause.)

22 I'm good.

23 Q. Okay. God gave us tears for a reason.

24 All right. So Ms. Williams was asking you some
 25 questions like are other people good at their jobs. Do

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1 A. Yes.

2 Q. I know you talked about different ranges and
 3 different numbers. So are you aware we just got the
 4 first pay data other than you in 2014 like at the end of
 5 this February?

6 A. Yes.

7 Q. And we still don't have all the pay data.

8 MS. WILLIAMS: Objection, form.

9 Q. (BY MS. GIBSON) But once we do, will you run
 10 what those damages look like more precisely?

11 A. Correct, yes.

12 Q. Okay. When Ms. Williams was asking you about
 13 Mr. Tickle and if you had any concerns about what he
 14 said on performance reviews, were you talking about what
 15 he said orally during performance meetings?

16 A. Correct.

17 Q. Okay. And were his comments to you orally during
 18 these meetings positive?

19 A. Yes.

20 Q. Okay. Do you remember being asked some questions
 21 about job grades, like 6 pays less than 5, pays less
 22 than 4, et cetera?

23 A. Yes.

24 Q. And that theoretically, hypothetically, someone
 25 at, say, job grade 6 could make more than someone at job

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1 THE STATE OF TEXAS)
2 COUNTY OF HARRIS)

3 REPORTER'S CERTIFICATION
4 VIDEOTAPED DEPOSITION OF ROBERT DEDMON
5 TAKEN APRIL 2, 2024

6 I, ROBIN GROSS, Certified Shorthand Reporter in and
7 for the State of Texas, hereby certify to the following:

8 That the witness, ROBERT DEDMON, was duly sworn by
9 the officer and that the transcript of the oral
10 deposition is a true record of the testimony given by
11 the witness;

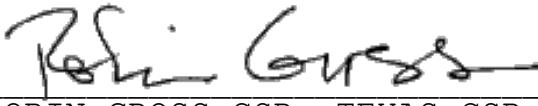
12 That the deposition transcript was submitted on
13 _____ to the witness or the attorney for the
14 witness for examination, signature and return to Nell
15 McCallum & Associates, by _____;

16 That the amount of time used by each party at the
17 deposition is as follows:

18 MS. AMY E. GIBSON - 1:05
19 MS. MARLENE C. WILLIAMS - 6:13

20 I further certify that I am neither counsel for,
21 related to, nor employed by any of the parties in the
22 action in which this proceeding was taken, and further
23 that I am not financially or otherwise interested in the
24 outcome of the action.

25 Certified to by me this 4th day of April, 2024.


21 ROBIN GROSS CSR, TEXAS CSR NO. 9015
22 Expiration Date: 07-31-25
23 Nell McCallum & Associates, Inc.
24 Firm Registration No. 10095
25 Expiration Date: 01-31-2025
718 Westcott
Houston, Texas 77007
(713) 861-0203/Fax(713) 861-2324